

**COMPLAINT BY A PRISONER UNDER THE CIVIL RIGHTS ACT, 42 U.S.C §§ 1983**

3 Name GARCIA JANNY  
4 (Last) (First)

**RICHARD W. WILKINS**  
CLERK U.S. DISTRICT COURT  
**NORTHERN DISTRICT OF CALIFORNIA**  
(Initial) *[Signature]*

5 | Prisoner Number MCS# CH13-142 P.O. Box 410906C

6 Institutional Address Iowa City 95640

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

DANNY GARCIA  
(Enter the full name of plaintiff)

**CV 08**

RNIA  
4039

(Enter the full name of plaintiff in this action.)

vs.

to be provided by the clerk of court.

} COMPLAINT U  
CIVIL RIGHTS ACT,  
) 42 U.S.C §§ 1983

(Enter the full name of the defendant(s) in this action)

## E-filing

*[All questions on this complaint form must be answered in order for your action to proceed.]*

## 19 I. Exhaustion of Administrative Remedies

[Note: You must exhaust your administrative remedies before your claim can go forward. The court will dismiss any unexhausted claims.]

A. Place of present confinement MULE CREEK STATE PRISON

23 B. Is there a grievance procedure in this institution?

24 YES (X) NO ( )

25 C. Did you present the facts in your complaint for review through the grievance  
26 procedure?

27 YES(✓) NO ( )

D. If your answer is YES, list the appeal number and the date and result of the

1 appeal at each level of review. If you did not pursue a certain level of appeal,  
 2 explain why.

3 1. Informal appeal Medical And Segregation  
 4 Meatings And Rights And Responsibility statement  
 5 Noted; 'No' Log Nott. 2. First  
 6 formal level Medical : And Safety Negl Pusp-s-cff-  
 7 cas13. Segregation Meatings Noted:

9 3. Second formal level medical Salinas Valley State  
 10 Prison Staff Reviewer CTC. Susp Log Nott  
 11 Susp - D - 08 - 00403: noted 4 Third  
 12 formal level Medical at Salinas Valley State Prison  
 13 Assigned Staff Reviewer: CTC. Appent ISSUES  
 14 March 15, 2006: 'no' Log nott noted.

15 E. Is the last level to which you appealed the highest level of appeal available to  
 16 you?

17 YES () NO ()

18 F. If you did not present your claim for review through the grievance procedure,  
 19 explain why. I have went through all the proper Relief into  
 20 The C.D.C. Procedure with zero Result but have all  
 21 the Exhibits to back up my claim into this Action.

22 II. Parties

23 A. Write your name and your present address. Do the same for additional plaintiffs,  
 24 if any.

25 All of California State Prison dealing with California  
 26 Rules of the CDC with the Citizens Complaint  
 27 9/16/02. Superior Court of Butte County 12/17/02.

28 B. Write the full name of each defendant, his or her official position, and his or her

1 place of employment.

2 All of the defendants work throughout California  
 3 Department of Corrections here in CDC. this is all  
 4 fall under the Title 145 under Local Rules of the  
 5 California Case law with the Penal Code Section  
 6 that can proof of all the information.

III.

7 Statement of Claim

8 State here as briefly as possible the facts of your case. Be sure to describe how each  
 9 defendant is involved and to include dates, when possible. Do not give any legal arguments or  
 10 cite any cases or statutes. If you have more than one claim, each claim should be set forth in a  
 11 separate numbered paragraph.

12 Responsibility of Employees: Every Employee, regardless  
 13 of his or her assignment, is responsible for the safe  
 14 custody of the inmates confined in the institutions of  
 15 the the department. Then the defendant has (602) in  
 16 All angles (d) To Transfer Appellants here at Mule Creek  
 17 state Prison. A decision for transfer to another institution  
 18 may be appealed by the affected inmate after endorsement  
 19 by the classification staff representative. (1) Filing of an  
 20 Appeal of a transfer decision shall not normally be cause  
 21 to stay or delay a transfer. (2) Regular transfer appeals  
 22 (A) ~~If~~ Informal and First level of appeal shall be waived  
 23 (E) Second level review shall be conducted by the institution  
 24 head. The board's decision.

25 IV. Relief

26 Your complaint cannot go forward unless you request specific relief. State briefly exactly  
 27 what you want the court to do for you. Make no legal arguments; cite no cases or statutes.

28 (3) If the inmate believes any act of reprisal resulted from

1 the grievance an appeal of the alleged reprisal may be  
2 filed through the department's normal process (2) If an  
3 appeal is not received prior to the end of the 15 day of  
4 an appellant's receipt of written notice of the  
5 recommendation to exclude, all prepared documentation  
6 shall be forward to the committing court.

7 I declare under penalty of perjury that the foregoing is true and correct.  
8

9 Signed this 18<sup>th</sup> day of August, 20 08

10  
11 /s/ Danny Dania  
12 (Plaintiff's signature)

Danny Garcia V30568  
M.C.S.P. C13 142 P.O. Box - 409060  
Ione Ca 95640

United States District Court  
Northern District Of California

Danny Garcia Plaintiff,  
v.  
Defendant

)  
)  
)  
)  
)  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_)

Complaint For Declartory Relief & Montary  
Damages 42 U.S.C. 1983) Civil Rights Action

Northern District Of California  
450 Golden Gate Ave Box 36060  
San Francisco Ca 94102

Danny Garcia V30568  
M.C.S.P. C13 142 P.o. Box - 409060  
Tone Ca 95640

United States District Court  
Northern District Of California

Danny Garcia )  
Plaintiff, )  
              )  
v.            )  
              )  
              )  
\_\_\_\_\_  
Defendant )  
\_\_\_\_\_)

Complaint Under The Civil Rights Act 42 U.S.C. 1983

Northern District Of California  
450 Golden Gate Ave Box 36060  
San Francisco Ca 94102

Danny Garcia V30568  
M.C.S.P. C13 142 P.O. Box - 409060  
Ione Ca 95640

United States District Court  
Northern District Of California

Danny Garcia )  
Plaintiff, )  
v. )  
Defendant )  
)  
Complaint For Declaratory Relief And Monetary  
Damages (42 U.S.C. 1983 Civil Rights Action

Plaintiff, Danny Garcia; allege as follows:

I.

## Introduction

This is a Civil Rights Complaint for Declaratory Relief and Monetary Damages brought over the use of unreasonable, unnecessary and excessive force in violation of the legal rights of plaintiff Danny Garcia while he is incarcerated at The California State Prison.

II.

## Jurisdiction And Venue

1. This is a civil Rights Action under 42 U.S.C. 1983 to redress the deprivation under color of state law of rights, privileges and immunities guaranteed by the 8th Amendment of the United States Constitution.

This Court has jurisdiction pursuant to 28 U.S.C. 1331 and 1343.

2. This Court has jurisdiction over plaintiff Dany Garcia action for declaratory relief pursuant to 28 U.S.C. 2201. and Rules 57, of the Federal Rules of Civil Procedure.

3. Venue is proper in the Northern District of California under 28 U.S.C. 1391(b)-(2) because a substantial part of the events giving rise to the claim occurred throughout the CDC State Prison in the Northern District Of California.

III  
Parties

Plaintiff, Danny Garcia: At DVI May 24, 2004:

Pleasant Valley State Prison July 28. 2005;

Inmate Appeal Routh Slip May 16. 2008; Log NO SVSP- D-08-02109; T. Variz Correctional Counselor - II Appeals Coordinator Salinas Valley State Prison Oct 12, 2008; Gernal Chrono C.D.C 7219 ( Rev 11/05;

Informed Consent For Mental Health Care Dated 3/1108; Inmate Appeals Asssignment Notice Log No SVSP- D- 080043; 1/28/08;

To CTC Salinas Valley State Prison 1/28/2008;

Dated 08/18/08;

Respectfully Submitted

/s/ Danny Garcia  
Danny Garcia

Conclusion

As a direct and foreseeable result of the defendant violations of the 8th Amendments, plaintiff, physical injuries in the form of damage of his right on the side leg car accident.

C.D.C. Department Of Corrections and Rehabilations Memorandum July 14. 2008;

That the Memorandum states " NO " Medical indication that a lower bunk, lower tier by K. Mclean Agpa Health Care Appeals Corrinator.

Moradum Suspended Appeal:

Dated 08/18/08;

Respectfully Submitted

/s/ Danny Garcia  
Danny Garcia

Complaint For  
Declaratory Relief And  
Monetary Damages



1) MUNY Garcia-Villanueva  
MC 59 C# 13  
TRUE CA 2  
TRUE CA 2  
TRUE CA 2

Proof Of Service By Mail

**State of California**

**Department of Corrections and Rehabilitation**

**Memorandum**

**Date** : July 14, 2008  
**To** : GARCIA, DANNY (V30568)  
C13-142  
**From** : Mule Creek State Prison  
**Subject** : FIRST LEVEL APPEAL RESPONSE  
MCSP-C-08-01579

Mr. Garcia's ADA Appeal was suspended on July 14, 2008, pending the issue of his ortho shoes, insoles and soft shoes.

The appeal was partially granted for ortho shoes, insoles and soft shoes. No medical indication that a low bunk, low tier, extra mattress and pillow are necessary.

August 8, 2008 - Checked with the Specialty Clinic. The ortho shoes have not yet arrived.

K. McLean, AGPA  
Health Care Appeals Coordinator

Mule Creek State Prison

State of California

Department of Corrections

## Memorandum

Date : August 11, 2008

To : GARCIA, V30568  
C 13000000000142L

Log Number: MCSP-C-08-01579

Subject: **SUSPENDED APPEAL**

This memorandum is to inform you that the above referenced CDC Form 1824, Reasonable Accommodation or Modification Request has been suspended pending specialty testing. The Armstrong Remedial Plan states:

Upon determination that expert consultant is required, medical staff shall inform the Appeals Coordinator of the referral and the appeal time frames shall be suspended until the expert consultants report is received by health care staff.

You will need to be seen by contract medical personnel before the institution medical staff can respond to the issues raised in your appeal. When documentation is received, your CDC Form 1824 shall be processed accordingly. The original due date is no longer valid for this appeal and will be recalculated after your consultation takes place.

You are expected to cooperate with all efforts to verify your claimed disability. Your failure to cooperate will result in your appeal being cancelled.

Appeals Coordinator

ADDENDUM: Add-a-Page; Insert-a-Page N / C / S Region, Service Area = <u>      </u> , Institution = <u>PVSP</u>			
Additional Page and/or Update Page Use with Assessments, Data Base, Treatment Plan			
<input type="checkbox"/> Insert as Additional Information: Behind Page # <u>      </u> , Form <u>      </u> Date: <u>      /      /      </u> completed.			
<input checked="" type="checkbox"/> Add to Top as Update or Correction: Top Form <u>5147</u> Regarding Page # <u>      </u> , Date: <u>5/19/08</u> completed.			
Page	Section	Narrative:	Sign, Name/Stamp, Date
7-26-08		<p><u>THIS IS A MH UPDATE, THE MH IS COMPLETE: 41 YO HCSP, BUTTE CO 288 COMMITMENT, CLAIMS A LIFE SENTENCE DUE TO 4 COUNTS OF STATUTORY RAPE (SEX W/ A MINOR).</u></p> <p><u>M/S WNL - EXPRESSES ANXIETY FROM HIS INCARCERATION. HE HAS NO PRIOR JAIL EXPERIENCE. HAS FRIENDS FROM SKINHEADS IN BUTTE CO. WHO KNOW ABOUT HIS CHARGES. NO PRIOR MH PROBLEMS.</u></p> <p><u>Dx: Axis I: 309.28 ADJ. DIS w/ ANXIETY AND DEPRESSED mood.</u></p> <p><u>Axis II - 799.9 Defendant</u></p> <p><u>GAF: 70.</u></p> <p><u>PLAN: CONTINUE 3CHS ON MED. NECESSITY LIKES CURRENT 4 MEDS.</u></p> <p><u>M. Macomber PhD</u></p> <p>Melvin Macomber, Ph.D. Clinical Psychologist</p>	

MENTAL HEALTH ASSESSMENT: MENTAL HEALTH DATA BASE Part One - History Section Part Two - Diagnostic Section + Placement Addendum: Add-a-Page / Insert-a-Page MH 1 [3/19/96] Confidential Client/Patient Information See W & I Code, Section 5328	LEVEL OF CARE  Inpatient  Outpatient	Last Name: <u>GARCIA, DANNY</u> First Name: <u>DANNY</u> MI: CDC # <u>V30568</u> DOB <u>      /      /      </u>
--	--	---

Butte Co.

FERPD file

State of California, Department of Corrections: Region N

288A Institution = DVI

**RECEPTION CENTER MENTAL HEALTH EVALUATION: Page 1 of 3; Date 5/14/08 Critical Issue** **I. IDENTIFYING INFORMATION**Arrival date this RC: 5/14/08344 - White power knows his cataracts -Ethnicity: Mexican  Non-English  English 

Data Source (s):

 Interview Central File Unit Health Record Outside**II. BASIS OF REFERRAL/PRESENTING PROBLEM**

Screening Report:  Possible Thought Disorder  Possible Mood Disorder  Possible Major Depression  
 Possible Suicidality

Staff Referral:  History of Mental Illness  Medication Review  Danger to self

Self Referral:  (State reason)

notes all previous hospitalizations

Other Behavioral Signs or issues. Describe (include self referral detail): multiple screen here

multiple screen heremultiple screen here**III. MENTAL HEALTH HISTORY:** (If it is normal, check normal or none, if a deviation, check yes and explain.)

A. Developmental Problem:  Normal  Abnormal Poor Com College of Business - reg course completion

B. Marital: circle: S/M  D/W 19yo - 29yo married 4 sons  
2 older sons live & separate - no contact

C. Work History:  None  Some  Erratic  Extensive Handled alarm agent  per Th

D. Mental Health History:  None known  Yes Butte Co jail end of 2001 2/3 days  Disorder at present

E. Issues and Problems

1. Psychiatric Hospitalizations .....  None OR  Yes
2. Psychotropic Medication  
in the last 2 years .....  None OR  Yes vacation - pain - well lecture
3. Outpatient Treatment .....  None OR  Yes
4. MH Treatment while  
incarcerated/paroled:...  None OR  Yes
5. History of Substance Abuse .....  None OR  Yes denies substance abuse
6. Release of information requested.....  Yes  No

F. Suicidal Behavior:  None  Present after divorce - Considered OD - did not do it

1. History .....  None  Present after life sentence Considered hanging - did not do it  
 Describe

G. Violent Behavior .....  None  Present 2 misdiagnosed assault

1. History .....  None  Present per Toc  
 Describe or sexual later acknowledged by Toc

**MENTAL HEALTH ASSESSMENT:  
RECEPTION CENTER**

**LEVEL OF  
CARE**

Last Name:

First Name:

MI:

not  
like

DATE	TIME			
5/14/08	0845	s. Pt. complaints of weakness & H/V (14) Appt to Dr. Pt. 40 admissions re-refusing to come		

DATE	TIME
7/4/08	0845
Pt 60 yo wt loss & weakness of H/lv (14) Apptn to L.	
Pt 60 chronic smokes, refractory to current	
cigarette smoking * years. Coughs frequently.	
O: NAP - Euthym. No significant pt breathing or pulse	
Temp	Resp
99.1	16
Pulse	Cir. pulse.
137/85	71
BP Syst	BS - soft +.
158	App - Chronic Smokes - refractory to Thorotrust.
X-Ray - lungs	
Pl. 3 weeks. Suspect.	
E. P. p. -	
Pt wt loss - (H+) Blood chemistry	
or significant wt loss documented -	
Plan pt diet similar not met. ✓	

INSTITUTION: SVSP      HOUSING UNIT: DR-314      CDC NUMBER, NAME (LAST, FIRST, MI) AND DATE OF BIRTH:

V 70568

Garcia, Danny

### INTERDISCIPLINARY PROGRESS NOTES

**NOTE: SEND COPY OF PHYSICIAN'S ORDER FOR MEDICATION  
TO PHARMACY AFTER EACH ORDER IS SIGNED.**

**ALLERGIE** NILDA

## **INSTITUTION**

ROOMMATE B2 J05

**CDC NUMBER, NAME (LAST, FIRST, MD)**

Confidential  
client information

## **PHYSICIAN'S ORDERS**

**NOTE: SEND COPY OF PHYSICIAN'S ORDER FOR MEDICATION  
TO PHARMACY AFTER EACH ORDER IS SIGNED.**

ALLERGIES:	INSTITUTION	S RSP	ROOM/WING B 3-205
Confidential client information See W & I Code, Sections 4514 and 5328		CDC NUMBER, NAME (LAST, FIRST, MD)	
		Garcia, Danny V30568 DOB 2-13-65	
RECEIVED FEB 08 1966			
PHYSICIAN'S ORDERS			

**NOTE: SEND COPY OF PHYSICIAN'S ORDER FOR MEDICATION  
TO PHARMACY AFTER EACH ORDER IS SIGNED.**

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**ALLERGIES**

NKDA

INSTITUTION

ROOMMING

D9-2116

CPC NUMBER, NAME (LAST, FIRST, MIDDLE)

Confidential  
client information

V 30568  
Garcia, Danny  
2/13/03

## **PHYSICIAN'S ORDERS**

**NOTE: SEND COPY OF PHYSICIAN'S ORDER FOR MEDICATION  
TO PHARMACY AFTER EACH ORDER IS SIGNED.**

Order Date	Time	Problem #	Physician's Order and Medication (Orders must be dated, timed, and signed.)
3/25/08	1100		Cointidium 10mg po qD x 90days Nssenax 1 spray to affected host x 90days <u>XRN</u>
			1/20 days for neck pain - <u>Noted 3/25/08 1100 RT - IVN</u>

**ALLERGIES:**

## INSTITUTION

ROOMMING

D1-202

Confidential  
client information

**GPO NUMBER, NAME (LAST, FIRST, MIDDLE)**

V 30548

Garcia, Danny

## **PHYSICIAN'S ORDERS**

100-272

**NOTE: SEND COPY OF PHYSICIAN'S ORDER FOR MEDICATION  
TO PHARMACY AFTER EACH ORDER IS SIGNED.**

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**ALLERGIES:**

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## INSTITUTION

ROOMAVING

Confidential  
client information  
See W & I Code, Sections 4514 and  
5328

**CDC NUMBER, NAME (LAST, FIRST, MIDDLE)**

Garcia, Danny  
✓ 30568

## **PHYSICIAN'S ORDERS**

**NOTE: SEND COPY OF PHYSICIAN'S ORDER FOR MEDICATION  
TO PHARMACY AFTER EACH ORDER IS SIGNED**

Order Date	Time	Problem #	Physician's Order and Medication (Order must be dated, timed and signed)
5/7/08	1745		3CMS MENTAL HEALTH EVAL W/I 14 DAYS POC DR. FRENCH/A.KETTELHAKER.N. MD LINE W/I 14 DAYS F/U HTN DYSLIPIDEMIA CHRONIC BACK PAIN ATENOLOL 50MG PO Q DAY ENALAPRIL 10MG PO Q DAY ASA EC 81MG PO Q DAY CAL POLYCARBOPHIL TAB PO Q DAY PRILOSEC 20MG PO Q DAY SIMVASATIN 20MG PO Q HS RANITIDINE 150MG PO BID TYLENOL 500MG PO TID PRN HEADACHE TOLFANATE CREAM 1 PER CENT AS DIRECTED MOMETASONE NASAL SPRAY TO AFFECTED NOSTRIL Q D IBUPROFEN 600MG PO TID PRN PAIN POC DR. GALLAWAY/A.KETTELHAKER.N.
Allergies: NKDA	Institutions: MCSP	Room/Wing: 13-2072	

Confidential  
client information  
See W & I Code, Section 4514  
and 5328

**PHYSICIAN'S ORDERS**CDC 7221 (2/00)  
State of California

DEPARTMENT OF CORRECTIONS

CDC NUMBER, NAME (LAST, FIRST, MI)	
CDC:	V30568
NAME:	GARCIA DANNY
DOB:	2/13/1963

STATE OF CALIFORNIA

Called HED

## EMERGENCY CARE FLOW SHEET

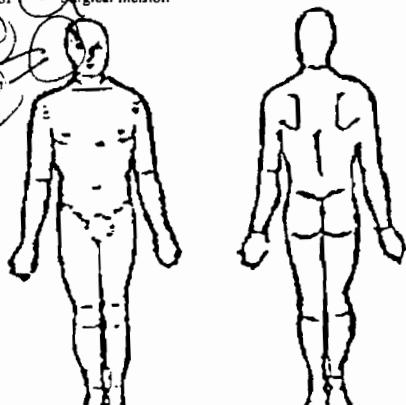
DEPARTMENT OF CORRECTIONS

DATE: 2/18/08

TIME IN	TIME OUT
1122	1230

PATIENT NAME (LAST, FIRST) <i>Taylor, Debra</i>	CDC NUMBER <i>V30568</i>	HOUSING <i>F2 215</i>	DOB <i>2/13/63</i>				
TIME OF INCIDENT	LOCATION OF INCIDENT	MODE OF ARRIVAL <i>LAW</i>					
STAFF NAME (LAST, FIRST)	OCCUPATION	SEX	AGE				
CHIEF COMPLAINT: <i>bad ligation</i>		TB CODE <i>22</i>	DATE OF LAST TETANUS <i>Immun</i>				
MECHANISM OF INJURY	SKIN COLOR	SKIN TEMP	SKIN MOISTURE	GLASCOW COMA SCALE			
<input type="checkbox"/> STABBING <input checked="" type="checkbox"/> PHYSICAL ALTERCATION <input type="checkbox"/> GUNSHOT WOUND <input type="checkbox"/> BURN <input type="checkbox"/> SPORTS INJURY <input type="checkbox"/> ON THE JOB INJURY <input type="checkbox"/> OTHER _____	<input type="checkbox"/> NORMAL <input type="checkbox"/> PALE <input type="checkbox"/> ASHEN <input type="checkbox"/> CYANOTIC <input type="checkbox"/> FLUSHED	<input type="checkbox"/> HOT <input checked="" type="checkbox"/> WARM <input type="checkbox"/> COOL <input type="checkbox"/> COLD	<input type="checkbox"/> NORMAL <input type="checkbox"/> DRY <input type="checkbox"/> MOIST <input type="checkbox"/> PROFUSE	<input type="checkbox"/> < 2 SECONDS <input type="checkbox"/> > 2 SECONDS <input type="checkbox"/> NONE	<small>EYE OPENING RESPONSE</small> SPONTANEOUS TO VOICE TO PAIN NONE		
				<input type="checkbox"/> BEST VERBAL RESPONSE ORIENTED CONFUSED INAPPROPRIATE WORDS	<small>GLASCOW COMA SCALE</small> 14/5/11111 3 4 4 4 4 2 2 2 2 2 1 1 1 1 1		
LUNG SOUNDS	RESP. CHARACTER	EVIDENCE OF TRAUMA					
RT <input checked="" type="checkbox"/> CLEAR <input type="checkbox"/> WHEEZES <input type="checkbox"/> RALES <input type="checkbox"/> RHONCHI <input type="checkbox"/> DIMINISHED <input type="checkbox"/> ABSENT	LT <input type="checkbox"/> <input type="checkbox"/> UNLABORED <input type="checkbox"/> PAINFUL <input type="checkbox"/> SHALLOW <input type="checkbox"/> DEEP <input type="checkbox"/> RETRACTION <input type="checkbox"/> NASAL FLARING	<input type="checkbox"/> CHEST <input type="checkbox"/> ABDOMEN <input type="checkbox"/> G/U <input type="checkbox"/> PELVIS <input type="checkbox"/> BACK SPINE					
		<small>EVIDENCE OF TRAUMA</small> HEAD <input checked="" type="checkbox"/> NECK <input type="checkbox"/> EXTREMITIES <input type="checkbox"/> OTHER					
VI T A L S	TIME	TEMP	PULSE	RESP	BP	SaO <sub>2</sub>	CURRENT MEDICATION
	1122	98.3	89	20	110/80	96%	<i>Levo med prof</i>
I V	TIME	SOL	SITE	GAUGE	RATE	SaO <sub>2</sub>	MEDICATION ALLERGIES
	0						<i>TMDA</i>
O 2	TIME	ROUTE	RATE	SaO <sub>2</sub>	MEDICATION GIVEN IN ER		
	0						
S O A P N O T A T I O N S	SUBJECTIVE: (PATIENT'S STATEMENTS, HISTORY) <i>I was punched in head</i> OBJECTIVE: (PHYSICAL EVALUATION) <i>PCP 31 HAB, CS, DENT, A, EEM</i> ASSESSMENT: (NURSING DIAGNOSIS) <i>ICP, Laceration 3-11cm (L)</i> PLAN: (PT EDUCATION, FOLLOWUP, MD ORDERS, ETC.) <i>ISO 31, SAW, not fit</i> <i>X-rayed 115. 10% of brain contusion. 115% of skin</i> <i>stabbed in left arm in contusion. 115% of skin</i> <i>not seen in patient. Airway cleared at 115% of skin</i>						
PRINT NAME <i>Harris</i>	SIGNATURE <i>Glyn</i>	PATIENT DISPOSITION					
		RN/MTA/MD	<input type="checkbox"/> RETURN TO CUSTODY <input type="checkbox"/> ADMIT TO INFIRMARY / HOSPITAL <input type="checkbox"/> TRANSPORT TO COMM HOSPITAL VIA <input type="checkbox"/> AMBULANCE <input type="checkbox"/> STATE VEHICLE <input type="checkbox"/> RELEASED TO CORONER				
SUPERVISOR REVIEW		RN/MTA/MD					
		RN/MTA/MD					
		RN/MTA/MD					
PATIENT CONDITION ON DISCHARGE							
<input type="checkbox"/> STABLE <input type="checkbox"/> DECEASED				<input type="checkbox"/> UNSTABLE TIME _____			

ABBREVIATION CODE							
Ab	- Abrasion	E	- Edema				
Amp	- Amputation	F	- Closed Susp Fracture				
Av	- Avulsion	H	- Hematoma				
B	- Burn	L	- Laceration				
%	- Percent	P	- Petechiae				
CP	- Compound Frac.	R	- Rash				
EC	- Ecchymosis	S	- Scar				
ENT	- Entrance Wound	Ex	- Exit Wound				
SI	- Surgical Incision						



PATIENT CONDITION ON DISCHARGE

- STABLE
- UNSTABLE
- DECEASED TIME \_\_\_\_\_

DATE	TIME.	MGD: 60
2/8/08	1702	<p>✓: 44yo Hispanic Blinder &amp; punched on the      (R) side of head and other small punch      him on the chest he fell to the rocky, gravel      ground and ran to get help. No C.O.C. no visual      go, no hearing go, no blood from mouth, ear      or nose &amp; no</p> <p>now abx w/ Robert pain gone &amp; no more      no hemoptysis or diarrhea not tachypneic      no abrasions some blood from nose in the      field not now; no blood vision no d/c      vision no stiff neck; no dysuria no      micturition/straining of U/E/C/O's no      bowel/micturition in cont.</p> <p>O:</p> <p>slight sweating &amp; n/v      pleasant conscious spontaneously      skin 1 cm LAC of (R) temple at hair line &amp;      above blood.</p> <p>3cm slight induration (R) front of left Ectropion.      Face sym. nose mid blood stain at (L) nasal      onifex w/ active bleeding; tongue mid oral floor      Eye &amp; Eyelids &amp; subconjunctival hemorrhage.</p> <p>PERRLA, EOM's globe intact pupillary reflexes</p>

INSTITUTION SVSP	HOUSING UNIT F2 205 (contine)	CDC NUMBER, NAME (LAST, FIRST, MI) AND DATE OF BIRTH JULIA M. Manning V30568 2/13/63
INTERDISCIPLINARY PROGRESS NOTES		

DATE . TIME .

MED: EO.

2/8/08 5:45 (continued)

1322

orb. h/o &amp; tender &amp; erythema

zygomatic not tender, sides not tender.

ear TMJ clear &amp; slow motion not

shiny shoulders may been not tender

&amp; spine not tender to touch.

num &amp; tnm; crm &amp; mle; abd at no abn.

extremities &amp; neck/moss; Neuro &amp; local findings

Ap (1) H/p Head rising

XR chest &amp; neck not

far pushed

rib pain &amp; Rx

&amp; evidence of mid cervical

(R) digit/ elbow (L)

ischemia &amp; extra cranial artery problem.

Brown of skin of epidermal/subcutaneous

observed the next 72 hours warmer, mental

change, n.s.v., visual blurring of the field staff

(2) loc. Tcm (R) temporal area

2 staples placed to clean &amp; suture

2/4 H/P CP 2am

staples removed.

J. S. Tymorogian

INSTITUTION	HOUSING UNIT	CDC NUMBER, NAME (LAST, FIRST, MI) AND DATE OF BIRTH
		INTERDISCIPLINARY PROGRESS NOTES

DATE	TIME	PROB #
2-8-08		
<p>S: (history includes details pertinent to the patient's medical complaint) 42yo o/s      Attacked by 4 inmates. Struck w/ fist. Not 100%. Bruised      in Bleeding. Jut off H/S leg. C/o bleeding. Headache,      chest wall pain, R.H. &amp; L.E. bumper. LTO Tether.</p> <p>Ros: (E) HTN (D) Dyslipidemia. No heart disease. (In HTN      103/91. Den or HES c/o.      Promptly No Visual, c/o abdominal pain. Meas: Hyperlipidemia,      Liver Enzymes, Lipid (Lipid Cyst), Hct - List pending).</p> <p>* CWS: CN2-(2R)</p> <p>Neck (D) 2.5cm. O: (physical assessment) T.99 P.70 R.18 B/P: 106 Wt:      Alex 3 mild distress (con. unknown) 02/100%      Skin - 1.4 cm lacer R forehead in hair line. Superficial bleeding      around other upper lip. No mucosal bleeding. Teeth      AL. Teeth Normal tap. Blood C. Nerves: 3rd, 4th, 5th, 6th, 7th, 8th, 9th, 10th, 11th, 12th, 13th, 14th, 15th, 16th, 17th, 18th, 19th, 20th, 21st, 22nd, 23rd, 24th, 25th, 26th, 27th, 28th, 29th, 30th, 31st, 32nd, 33rd, 34th, 35th, 36th, 37th, 38th, 39th, 40th, 41st, 42nd, 43rd, 44th, 45th, 46th, 47th, 48th, 49th, 50th, 51st, 52nd, 53rd, 54th, 55th, 56th, 57th, 58th, 59th, 60th, 61st, 62nd, 63rd, 64th, 65th, 66th, 67th, 68th, 69th, 70th, 71st, 72nd, 73rd, 74th, 75th, 76th, 77th, 78th, 79th, 80th, 81st, 82nd, 83rd, 84th, 85th, 86th, 87th, 88th, 89th, 90th, 91st, 92nd, 93rd, 94th, 95th, 96th, 97th, 98th, 99th, 100th, 101st, 102nd, 103rd, 104th, 105th, 106th, 107th, 108th, 109th, 110th, 111th, 112th, 113th, 114th, 115th, 116th, 117th, 118th, 119th, 120th, 121st, 122nd, 123rd, 124th, 125th, 126th, 127th, 128th, 129th, 130th, 131st, 132nd, 133rd, 134th, 135th, 136th, 137th, 138th, 139th, 140th, 141st, 142nd, 143rd, 144th, 145th, 146th, 147th, 148th, 149th, 150th, 151st, 152nd, 153rd, 154th, 155th, 156th, 157th, 158th, 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**INMATE APPEAL ASSIGNMENT NOTICE**

To: INMATE GARCIA, V30568  
Current Housing: B2-237

Date: March 15, 2006

From: INMATE APPEALS OFFICE

Re: APPEAL

ASSIGNED STAFF REVIEWER: CTC  
APPEAL ISSUE: MEDICAL

Inmate GARCIA, this acts as a notice to you that your appeal has been sent to the above staff for INFORMAL response. If you have any questions, contact the above staff member. If dissatisfied, you have 15 days from the receipt of the response to forward your appeal to this office for the FIRST level of review.

T. VARIZ, CC-II / E. MEDINA CC-II  
Appeals Coordinators  
Salinas Valley State Prison

STATE OF CALIFORNIA  
CDC 7362 (Rev. 03/04)

DEPARTMENT OF CORRECTIONS

## HEALTH CARE SERVICES REQUEST FORM

## PART I: TO BE COMPLETED BY THE PATIENT

*A fee of \$5.00 may be charged to your trust account for each health care visit.***If you believe this is an urgent/emergent health care need, contact the correctional officer on duty.**

REQUEST FOR:	MEDICAL <input checked="" type="checkbox"/>	MENTAL HEALTH <input type="checkbox"/>	DENTAL <input type="checkbox"/>	MEDICATION REFILL <input type="checkbox"/>
NAME	CDC NUMBER		HOUSING	
Danny R. Garcia	V30568		ADD SEG #215	
PATIENT SIGNATURE			DATE	
<i>Danny R. Garcia</i>			08-10-04	

REASON YOU ARE REQUESTING HEALTH CARE SERVICES. (Describe Your Health Problem And How Long You Have Had The Problem) *(Bottom back Crutch) Car accident, Oct. 2001, crushed foot (right) Pins removed in March of 2002, car accident in Oct. 1978, compound fracture, upper femur, right leg, torn ligaments, inside right knee, no pins, bone overlapped, need a heel lift. Extreme Pain in foot and leg after a day's use, swelling in back of right knee after a day's use. Without heel lift I get a curvature in the spine which gives me lower back aches. Follow up*

NOTE: IF THE PATIENT IS UNABLE TO COMPLETE THE FORM, A HEALTH CARE STAFF MEMBER SHALL COMPLETE THE FORM ON BEHALF OF THE PATIENT AND DATE AND SIGN THE FORM

## PART III: TO BE COMPLETED AFTER PATIENT'S APPOINTMENT

 Visit is not exempt from \$5.00 copayment. (Send pink copy to Inmate Trust Office.)

## PART II: TO BE COMPLETED BY THE TRIAGE REGISTERED NURSE

Date / Time Received:	Received by:
Date / Time Reviewed by RN:	Reviewed by:
S:	Pain Scale: 1 2 3 4 5 6 7 8 9 10

*"I need a bottom back brace."*O: T: P: R: BP: *Deferred* WEIGHT:A: *Add to Next MD line*  
P: *Add to Next MD line*  
 See Nursing Encounter Form

E:

APPOINTMENT SCHEDULED AS:	EMERGENCY (IMMEDIATELY) <input type="checkbox"/>	URGENT (WITHIN 24 HOURS) <input type="checkbox"/>	ROUTINE (WITHIN 14 CALENDAR DAYS) <input checked="" type="checkbox"/>
REFERRED TO PCP:	no doc	DATE OF APPOINTMENT:	8/11/04
COMPLETED BY	NAME OF INSTITUTION <i>ROSP</i>		

PRINT / STAMP NAME	SIGNATURE / TITLE	DATE/TIME COMPLETED
<i>M. Griffith R.</i>	<i>Dr. Griffith R.</i>	8/11/04 1045

DATE	TIME	PROB #
10/12/2004		S: (history includes details pertinent to the patient's medical complaint)  <i>He has nasal allergy. Chronic Back pain.</i>
		O: (physical assessment) T:97' P:67 R:20 B/P:125/78 Wt:151  <i>Nose: Very Congested. Back Very Good Mobility</i>
		A: (medical/nsg diagnosis. MTAs may not independently analyze or interpret data.)  <input checked="" type="radio"/> ① Allergic Rhinitis <input checked="" type="radio"/> ② Chronic Back Pain
		P: (MTA - referral to a higher licensure for prioritization and evaluation.) (RN - action to be taken by the RN so that the patient receives appropriate medical care.)  <input type="radio"/> ① <input type="radio"/> ② <input type="radio"/> ③ <input checked="" type="radio"/> ④
		E: (education provided)  <i>Instructions Given - Sanger M</i>
INSTITUTION	Pleasant Valley State Prison Community Office	ROOM / WING DFB5T2000000206L
OUTPATIENT INTERDISCIPLINARY PROGRESS NOTES		CDC NUMBER, NAME, (LAST, FIRST, MI)  V30568 GARCIA, DANNY 2/13/1963
CDC 7254 (8/89)		
STATE OF CALIFORNIA DEPARTMENT OF CORRECTIONS		

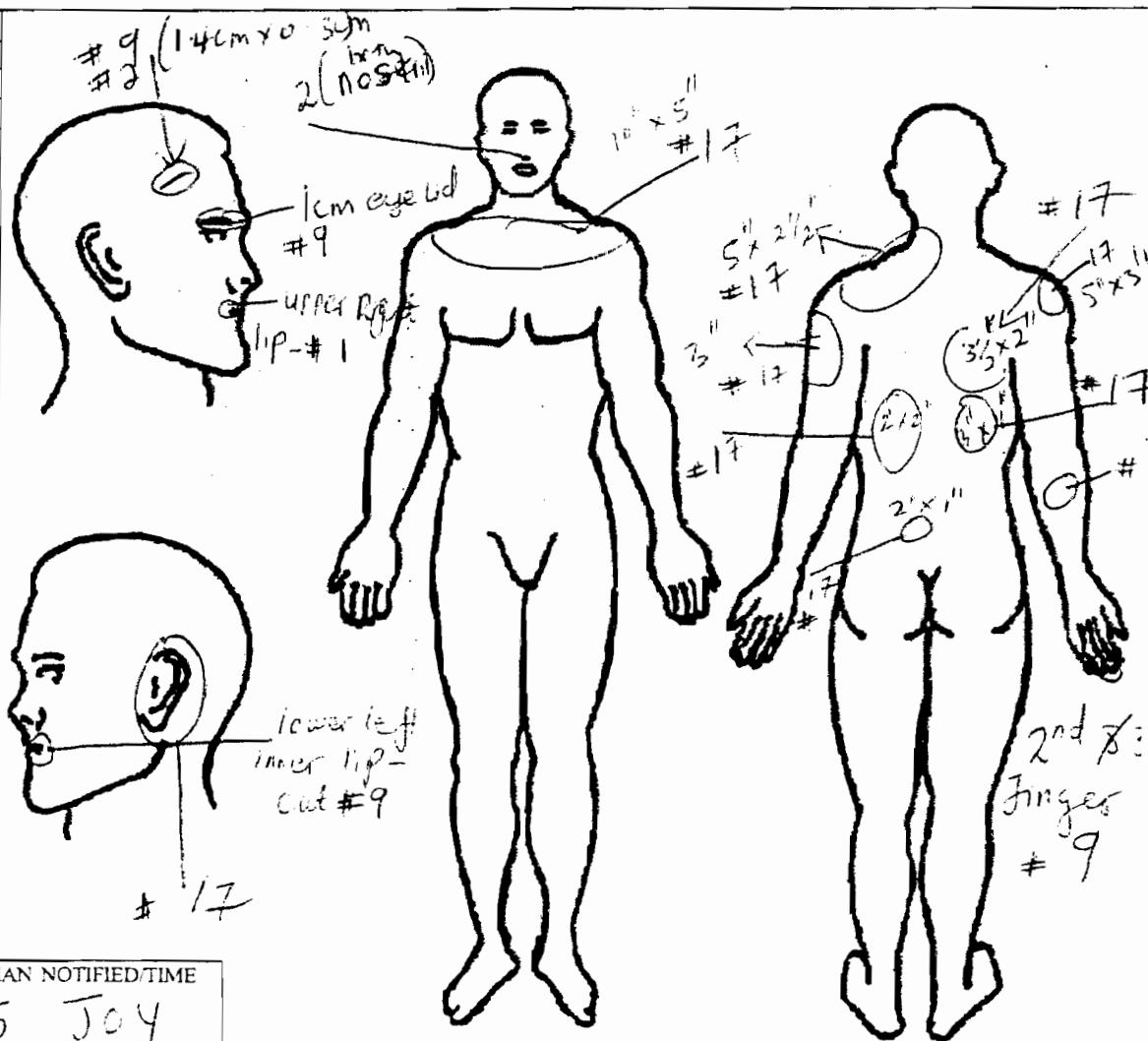
MEDICAL REPORT Case# 308-EV-04039-SI Document 1 Filed 08/25/2008 Page 30 of 70  
OR UNUSUAL OCCURRENCE

NAME OF INSTITUTION <b>SUSP</b>	FACILITY/UNIT <b>B YARD</b>	REASON FOR REPORT (circle) USE OF FORCE	<b>INJURY</b> UNUSUAL OCCURRENCE	ON THE JOB INJURY PRE AD/SEG ADMISSION	DATE <b>2/2/08</b>
THIS SECTION FOR INMATE ONLY	NAME LAST <b>GARCIA</b>	FIRST <b>CANARY</b>	CDC NUMBER <b>V-30398</b>	HOUSING LOC. <b>B3205</b>	NEW HOUSING LOC.
THIS SECTION FOR STAFF ONLY	NAME LAST	FIRST	BADGE #	RANK/CLASS	ASSIGNMENT/RDOs
THIS SECTION FOR VISITOR ONLY	NAME LAST	FIRST	MIDDLE	DOB	OCCUPATION
HOME ADDRESS	CITY	STATE	ZIP	HOME PHONE	
PLACE OF OCCURRENCE <b>BRAYO YARD</b>	DATETIME OF OCCURRENCE <b>2/2/08 - 1032</b>	NAME OF WITNESS(ES) <b>None</b>			
TIME NOTIFIED <b>1035</b>	TIME SEEN <b>1036</b>	ESCORTED BY <b>WILSON</b>	MODE OF ARRIVAL (circle) <b>AMBULATORY</b>	LITTER ON SITE	WHEELCHAIR
AGE <b>44</b>	RACE <b>SAH</b>	SEX <b>M</b>			

BRIEF STATEMENT IN SUBJECT'S WORDS OF THE CIRCUMSTANCES OF THE INJURY OR UNUSUAL OCCURRENCE

"I don't know what happened it came out of nowhere"

INJURIES FOUND? YES / NO	<input checked="" type="checkbox"/>
Abrasions/Scratches	<input checked="" type="checkbox"/>
Active Bleeding	<input checked="" type="checkbox"/>
Broken Bone	<input type="checkbox"/>
Bruise/Discolored Area	<input type="checkbox"/>
Burn	<input type="checkbox"/>
Dislocation	<input type="checkbox"/>
Dried Blood	<input type="checkbox"/>
Fresh Tattoo	<input type="checkbox"/>
Cut/Laceration/Slash	<input checked="" type="checkbox"/>
O.C. Spray Area	<input type="checkbox"/>
Pain	<input type="checkbox"/>
Protrusion	<input type="checkbox"/>
Puncture	<input type="checkbox"/>
Reddened Area	<input type="checkbox"/>
Skin Flap	<input type="checkbox"/>
Swollen Area	<input type="checkbox"/>
Other <b>Reddened area</b>	<input checked="" type="checkbox"/>
	<input type="checkbox"/>
	<input type="checkbox"/>
	<input type="checkbox"/>
	<input type="checkbox"/>
O.C. SPRAY EXPOSURE? YES / NO	<input checked="" type="checkbox"/>
DECONTAMINATED?	<input type="checkbox"/>
Self-decontamination instructions given?	<input type="checkbox"/>
Refused decontamination?	<input type="checkbox"/>
Q 15 min. checks	<input type="checkbox"/>
Staff issued exposure packet? YES / NO	<input type="checkbox"/>



RN NOTIFIED/TIME <b>1035 HELEN</b>	PHYSICIAN NOTIFIED/TIME <b>1035 JOY</b>
TIME/DISPOSITION <b>1036 B Clinic 1035 DR-Joy Assessing I/m</b>	

REPORT COMPLETED BY/TITLE (PRINT AND SIGN)

*ADM 1/11/08 LHN*BADGE #  
**4688** RDOS  
**Third**

(Medical data is to be included in progress note or emergency care record filed in UHR)

## Encounter Form: Wound Care

Inst: SVSPName: Garcia Danny CDC#: V 3056P

Fill in the blanks and check all that apply

DOB: 2/13/65 Date/Time: 2/8/08 1100**SUBJECTIVE:**Chief Complaint: pt attacked by 3-4 inmatesDate and time of injury: 2/8/08 1030Precipitating event: Released by Adsay moved back to Bravo yardPain: Scale of 0-10 (0=no pain 10=worst pain) 7/10Area of pain: (R) forehead, chestQuality of pain: unable to copeWhat makes it better/worse? unknownAssociated injuries:  Fractures  Dislocations Weakness  Paralysis  Other: \_\_\_\_\_Describe: See BackChronic Diseases:  HIV  Bleeding tendencies Peripheral Vascular Disease  Diabetes Alcoholic Liver Disease  Cancer Other Htn Describe: \_\_\_\_\_Last Meal (time/type) Break fastAllergies: NKACurrent medications: Pantidine, SimvastatinOmeprazole, Pantacur, ASA, Atorvast, NaproxenDate of last tetanus: Less than 10 years ago**OBJECTIVE:** ABCs Present Awake, alert, oriented to person, place, timeVS: Temp 99.3 Pulse 100 Resp 18 B/P 157/102

Wound: (location, size, depth, foreign body, contamination, swelling)

multiple wound's laceration (R) foreheadScalp linc, blackeye - (R) eyeSee attached 7219Bleeding  past  current Describe: (location, amt, color)moderate amount of blood (R) frontalScalp nose both nostrils (R) handCSM distal to the wound: (Area): L/R Radial Strongpulse regular cap refill <2

Time	Color	Sensation	Movement	Strength

Unable to assess  
assessed by Dr Joy

Time	BP	Pulse	Resp.
<u>1100</u>	<u>99</u>	<u>157/102</u>	<u>100</u>

**ASSESSMENT:** Risk for infection evidenced by/related to: \_\_\_\_\_multiple laceration / Bruise Impaired skin integrity evidenced by/related to: \_\_\_\_\_multiple laceration / Bruise**PLAN:**MD referral completed: (circle)  NO YES If yes: STAT (Bite wounds, human or animal: puncture wounds to the feet; wounds containing foreign objects; contaminated wounds; lacerations involving the face, palms, soles of feet, joints, or genitals; superficial lacerations more than 6 hours old; and deep lacerations; avulsions) Urgent  RoutinePhysician called (name / time) Dr Guy 1100Physician responded (time) 1100 Patient NPO Wound irrigated with 500 – 1000 ml Normal Saline until clear Affected area elevated Using a gauze sponge, continuous pressure applied to area to control bleeding Skin adjacent to wound cleaned with hibiclenz Tetanus Prophylaxis given:  Td  TIG (amount/site)**Abrasion** 4% lidocaine gel applied to abrasion on (location) \_\_\_\_\_ for pain before cleansing. Antimicrobial ointment applied to abrasion (specify) \_\_\_\_\_ Wound cleansed with sterile 4 x 4 soaked in normal saline solution. Wound left open and exposed to air.**Avulsion** Soft tissue realigned over wound Wound covered with saline-soaked gauze and dry sterile 4x4s.**Superficial laceration/Small open wound** Steri Strips applied to wound Dry sterile dressing applied to wound Instructed to keep extremity elevated for 24 hours.**Puncture wound** Wood splinters removed before cleansing wound.

Describe: \_\_\_\_\_

Laceration to head cleaned and coveredto 4x4gauze + Kerlix

Signature Title

Name: Garcia Danny

Encounter Form: Wound Care  
CDC#: V30568 DOB: 2/13/65 Date/Time: 2/8/08 1100  
Fill in the blanks and check all that apply

Pt sent to ER via ERV

Chest clear to Auscultation  
performed by DR JOYO

pt stated no loss of consciousness

**EDUCATION:**

Patient instructed in:

Use of medication

Wound care:

Instructed to keep extremity elevated for 24 hours

Watch for signs of infection including redness, warmth, fever, swelling, drainage, and increased pain. Notify health care staff if present

Keep dressing clean and dry

Dressing changes:

Follow up in RN clinic in 3 days if not improved

Other:

Resubmit Health Care Service Request Form (CDC 7362) if redness, warmth, fever, swelling, drainage or increased pain at the wound site.

Patient verbalized understanding of instructions

Education deferred due to patient condition

**DISPOSITION**

Time released: 1115

Condition on release stable ERV - gurney

Returned to housing Unit

Housing reassignment to:

Referred for follow-up

Physician clinic     RN clinic

Referred to higher level of care: (specify) CTC  
ER

Person/time contacted: Lorico 1100

Records faxed to facility

Time/Mode of transfer: ERV 1115 gurney

ERV contacted (time) 1100

ERV arrived (time) ERV

Additional Comments: Laceration (R) forehead  
Scrap line, (R) eye blackened,  
head, nose, chest (R) hand  
Cleaned & N/S. Head actively  
bleeding cleaned N/S & head wrapped  
& gauze. Lip cleaned TNS.  
wound to (R) hand cleaned antibiotic  
ointment applied & covered w/  
dressing. Multiple bruise  
to chest & back, head, face  
x-ray of skull, facial bones  
nasal bone, ribs (R) elbow

ENCOUNTER FORM: WOUND CARE  
CDC XXXX

12-04

RECEIVED 12/10/2008

Page 2 of 2

Signature/Title

W. Montero RN

## PART I: TO BE COMPLETED BY THE PATIENT

A fee of \$5.00 may be charged to your trust account for each health care visit.

If you believe this is an urgent/emergent health care need, contact the correctional officer on duty.

REQUEST FOR:	MEDICAL <input checked="" type="checkbox"/>	MENTAL HEALTH <input type="checkbox"/>	DENTAL <input type="checkbox"/>	MEDICATION REFILL <input type="checkbox"/>
NAME	CDC NUMBER		HOUSING	
Danny Garcia	V-30568		D-1 # 209	
PATIENT SIGNATURE			DATE	
<i>Danny Garcia</i>			02-18-08	

REASON YOU ARE REQUESTING HEALTH CARE SERVICES. (Describe Your Health Problem And How Long You Have Had The Problem) *a doctor at CTC put in a few staples on a cut on my head and stated that someone here at AD SEC would remove them. Please remove those staples. I still seem to be having sinus problems; can you check me to see what the problem is.*

*Thank you*

NOTE: IF THE PATIENT IS UNABLE TO COMPLETE THE FORM, A HEALTH CARE STAFF MEMBER SHALL COMPLETE THE FORM ON BEHALF OF THE PATIENT AND DATE AND SIGN THE FORM

## PART III: TO BE COMPLETED AFTER PATIENT'S APPOINTMENT

Visit is not exempt from \$5.00 copayment. (Send pink copy to Inmate Trust Office.)

## PART II: TO BE COMPLETED BY THE TRIAGE REGISTERED NURSE

Date / Time Received: 02/17/08 2010	Received by: <i>[Signature]</i>
Date / Time Reviewed by RN: 2-18-08 1200	Reviewed by: <i>[Signature]</i>
S: Had 2 staples put into scalp on 2/8/08 @ CTC, am feel int yester day p/s hoarseness. was ordered staple removal 2/18/08	Pain Scale: 1 2 3 4 5 6 7 8 9 10

O: T/GO P: 62 R: 16 BP: 114/73 WEIGHT: 155  
*n/a, Ax 3 skin pt w/o cathe, cooperative. Scalp well healed; epoxix.*

A: S/P Scalp Laceration.  
 P: (i) Remove staple from scalp (2 Adhesive to TR floor  
 See Nursing Encounter Form (2) Departed alone @ 1215 stable,  
 & ambulatory.

E:  
*Last meal 5oz. fast today*

APPOINTMENT SCHEDULED AS:	EMERGENCY (IMMEDIATELY) <input type="checkbox"/>	URGENT (WITHIN 24 HOURS) <input type="checkbox"/>	ROUTINE (WITHIN 14 CALENDAR DAYS) <input type="checkbox"/>
REFERRED TO PCP:	DATE OF APPOINTMENT:		
COMPLETED BY	NAME OF INSTITUTION <i>VSP</i>		
PRINT / STAMP NAME	SIGNATURE / TITLE <i>RH R</i>	DATE/TIME COMPLETED 2/21/08 1155	

## HEALTH CARE SERVICES REQUEST FORM

**PART I: TO BE COMPLETED BY THE PATIENT***A fee of \$5.00 may be charged to your trust account for each health care visit.***If you believe this is an urgent/emergent health care need, contact the correctional officer on duty.**REQUEST FOR: MEDICAL  MENTAL HEALTH  DENTAL  MEDICATION REFILL NAME *Garcia, Danny* CDC NUMBER *V30568* HOUSING *D1 - 201*PATIENT SIGNATURE *- pt ident. is problem day and time* DATE *3/25/08*

REASON YOU ARE REQUESTING HEALTH CARE SERVICES. (Describe Your Health Problem And How Long You Have Had The Problem)

*"My neck hurts and can sometimes move now.  
It pops sometimes  
Feel a little more now."*

NOTE: IF THE PATIENT IS UNABLE TO COMPLETE THE FORM, A HEALTH CARE STAFF MEMBER SHALL COMPLETE THE FORM ON BEHALF OF THE PATIENT AND DATE AND SIGN THE FORM

**PART III: TO BE COMPLETED AFTER PATIENT'S APPOINTMENT** Visit is not exempt from \$5.00 copayment. (Send pink copy to Inmate Trust Office.)**PART II: TO BE COMPLETED BY THE TRIAGE REGISTERED NURSE**Date / Time Received:  Received by: Date / Time Reviewed by RN:  Reviewed by: S:  Pain Scale: 1 2 3 4 5 6 7 8 9 10O:  T:  P:  R:  BP:  WEIGHT: A: P:  See Nursing Encounter FormE: *X. for C-1258*APPOINTMENT SCHEDULED AS:  EMERGENCY (IMMEDIATELY)  URGENT (WITHIN 24 HOURS)  ROUTINE (WITHIN 14 CALENDAR DAYS) REFERRED TO PCP:  DATE OF APPOINTMENT: COMPLETED BY  NAME OF INSTITUTION *SJSP*PRINT / STAMP NAME  SIGNATURE / TITLE  DATE/TIME COMPLETED

**PART I: TO BE COMPLETED BY THE PATIENT**

A fee of \$5.00 may be charged to your trust account for each health care visit.

If you believe this is an urgent/emergent health care need, contact the correctional officer on duty.

REQUEST FOR:	MEDICAL <input checked="" type="checkbox"/>	MENTAL HEALTH <input type="checkbox"/>	DENTAL <input type="checkbox"/>	MEDICATION REFILL <input type="checkbox"/>
NAME	CDC NUMBER		HOUSING	
Danny Garcia	V-30568		D-1 # 202	
PATIENT SIGNATURE			DATE	
<i>Danny Garcia</i>			0-1-14-08	

REASON YOU ARE REQUESTING HEALTH CARE SERVICES. (Describe Your Health Problem And How Long You Have Had The Problem) *since the incident on 02-08-08, my left wrist has not stoped hurting & my right index finger is hurting, its more swollen than my left, I bumped it and it reminded me that it needs to be checked, a small bump hurts it a lot.*

NOTE: IF THE PATIENT IS UNABLE TO COMPLETE THE FORM, A HEALTH CARE STAFF MEMBER SHALL COMPLETE THE FORM ON BEHALF OF THE PATIENT AND DATE AND SIGN THE FORM

**PART III: TO BE COMPLETED AFTER PATIENT'S APPOINTMENT**

Visit is not exempt from \$5.00 copayment. (Send pink copy to Inmate Trust Office.)

**PART II: TO BE COMPLETED BY THE TRIAGE REGISTERED NURSE**

Date / Time Received:	4/14/08 2000	Received by:	<i>Jaybler</i>
Date / Time Reviewed by RN:	4/15/08 0700	Reviewed by:	<i>L Turner RN</i>
S:	Pain Scale: 1 2 3 4 5 6 7 8 9 10		

O: T: 97<sup>8</sup> P: 68 R: 12 BP: 111/72 WEIGHT: 162 0980

A:

P:

See Nursing Encounter Form *MUSCLE - skeletal -*

E:

APPOINTMENT SCHEDULED AS:	EMERGENCY (IMMEDIATELY) <input type="checkbox"/>	URGENT (WITHIN 24 HOURS) <input type="checkbox"/>	ROUTINE (WITHIN 14 CALENDAR DAYS) <input type="checkbox"/>
REFERRED TO PCP:	DATE OF APPOINTMENT:		
COMPLETED BY	NAME OF INSTITUTION		

PRINT NAME	SIGNATURE / TITLE	DATE/TIME COMPLETED
<i>D. E. Garcia</i>	<i>D. E. Garcia</i>	<i>4-16-08 0945</i>

California Department of Corrections

Health Care Services Division

## Encounter Form: Musculoskeletal Complaint (Non-Traumatic)

Name:

Makia, LANN

DC#

30568

DOB:

Date/Time

4-16-08

0930

Fill in the blanks and check all that apply

**SUBJECTIVE:**Chief Complaint: PainDate and time of onset: 8 moPain: Scale of 0-10 (0=no pain 10=worst pain) 5/10Area of pain: Rt index finger, rt wristQuality of pain: Sharp, StabbingWhat makes it better? Wet glove if

History of prior pain / duration:

Not sure what happened Low back pain  Flank pain Urinary symptoms:  Urinary frequency  Dysuria Burning on urination  Hematuria Accompanying symptoms:  Muscle spasms Numbness  Tingling  Other:History of chronic illness:  Arthritis  Cancer Diabetes  Blood dyscrasias  Renal Disease Other:  History of:  Fever  Chills  Headache Nausea/Vomiting  Diarrhea  Fatigue Recent Trauma Other:  Allergies: NKACurrent medications: Tylenol**OBJECTIVE:**Vital signs: BP: 111/72 Pulse: 68 Resp: 12Temp: 97.8 Urine dipstick analysis:

Assets areas involved:

 Extremity:  Upper  Lower  Right  Left  BothDescribe: Color:   Warmth    Tenderess: Chest pain Swelling:    Deformity:   Circulation:    Sensation:  ROM:  Muscle:  Atrophy  Hypertrophy  Weakness Tremors Back Pain: Gait: Stance (assess):  **ASSESSMENT:** Impaired physical mobility related to:   Pain related to evidenced: Right jointis Stabbing**PLAN:**MD referral completed: (circle)  No  Yes If yes: STAT  Urgent  Routine

Refer to MD STAT for:

- Positive urine dipstick and patient has signs and symptoms consistent with a UTI.
- Alterations in circulation or sensation; new deformity or discoloration, or patient appears ill or has history of fever, chills, headache, nausea, vomiting, or diarrhea.
- Severe muscle cramps; muscle weakness with or without fever.
- Warm or acutely swollen joints:

Physician notified (name / time) \_\_\_\_\_

Physician Responded (time) \_\_\_\_\_

**MUSCLE CRAMPS / LOW BACK PAIN** ASA 325 mg, 2 tabs, P.O. QID PRN pain X 7 days;

or

 Tylenol 325 mg, 2 tabs, P.O. QID PRN pain X 7 days; or Ibuprofen 200 mg 3 tabs, P.O. QID PRN pain X 7 days; or Naprosyn 250 mg 2 tabs, P.O. BID PRN X 7 days. Activity as tolerated.**EXTREMITY PAIN OR STIFFNESS / JOINT PAIN** Apply (circle one) ice or heat as appropriate. ASA 325 mg, 2 tabs, P.O. QID PRN pain X 7 days; or Tylenol 325 mg, 2 tabs, P.O. QID PRN pain X 7 days; or Ibuprofen 200 mg 3 tabs, P.O. QID PRN pain X 7 days; or Naprosyn 250 mg 2 tabs, P.O. BID PRN X 7 days. Activity as tolerated. Schedule patient for RN follow-up in clinic in 72 hours and refer patient to a physician if symptoms persist Treatment given per RN Protocol: \_\_\_\_\_KO. Gehriger RN

Signature Title

California Department of Corrections and Rehabilitation

Inst: SVSP

Encounter Form: Musculoskeletal Complaint (Non-Traumatic)

Division of Correctional Health Care Services

Name: Garcia, DANNYCDC# V30568

DOB: \_\_\_\_\_

Date/Time

4-16-080930

Fill in the blanks and check all that apply

**DISPOSITION:**

released C-745

condition on release: 310461 - c.n.b.

Returned to housing unit

Housing reassignment to: \_\_\_\_\_

Referred for follow-up

Physician clinic     RN clinic

Referred to higher level of care: (specify) \_\_\_\_\_

Person/time contacted: \_\_\_\_\_

Time/Mode of transfer: \_\_\_\_\_

ERV contacted (time) \_\_\_\_\_

ERV arrived (time) \_\_\_\_\_

*197th c yard*

*MD -*

*Ordered X-Rays*

*of wrist L.*

*& RT finger.*

List name(s) of RN Protocols used: MuscleSkeletalD. Guldner RS

Signature / Title

## INMATE / PAROLEE APPEAL SCREENING FORM

INMATE: GarciaCDC #: V30568CDC HOUSING: B5-214

CDCR-695

THIS IS NOT AN APPEAL RESPONSE – THIS APPEAL IS EITHER REJECTED FOR REASONS NOTED BELOW OR RETURNED TO MORE INFORMATION OR FOR YOU TO ATTACH SUPPORTING DOCUMENTS.

**PLEASE FOLLOW INSTRUCTIONS AND RETURN YOUR CDC 602 WITHIN 15 WORKING DAYS**

- Requested Action Already Taken
- Requested Appeal Withdrawn
- Duplicate Appeal; Same Issue
- Appeal Previously Received and Processed
- Appealing Action Not Yet Taken
- Incomplete 602 – Complete Next Appropriate Section
- Incomplete Appeal – Documents Not Attached
- Sign and Date Appropriate Section
- Time Constraints Not Met
- Limit of One Continuation Page May Be Attached
- Cannot Submit On Behalf Of another Inmate
- Incomplete Disciplinary Appeal – Missing Documents\*
- Appeal Process Abuse – Inappropriate Statements
- Incomplete Property Appeal – Missing Documents\*
- No Significant Adverse Effect Demonstrated
- Failed to Provide Necessary Copies of Chrono(s)\*
- Action / Decision Not Taken By CDCR
- Appeal Process Abuse – Pointless Verbiage
- Action Sought Is Under Sentencing Court Jurisdiction
- May Submit One (1) Non-Emergency Appeal Per Week
- Submit Issue to Assigned Parole Office
- Attempting to Change Original Appeal Issue
- Appeal Matter to VCGCB
- Not Authorized to Bypass Any Level
- DRB Decisions Are Not Appealable
- Appeal Issue & Reasonable Accommodation Not 1824
- Request for Interview; Not an Appeal
- Do Not Combine Staff Complaints with Other Issues
- More than one issue –one issue per appeal
- Emergency Not Warranted-CCR 3084.7
- NO ATTEMPT AT INFORMAL RESOLVE
- Not a Request Form; Use CDCR-7362 – to access Medical Services, submit your request on a CDCR-Form 7362, Health Care Services Form, and send it to the Medical Department for an appointment. *If necessary, sign up for sick call.*

**PLEASE ATTACH AS NOTED BELOW:**

<input checked="" type="checkbox"/>	CDC 115/Hearing Officer's Results	<input type="checkbox"/>	CDC 128C Medical Chrono
<input checked="" type="checkbox"/>	CDC 115 with IE/DA information	<input type="checkbox"/>	CDC 1819 Denied Publications
<input checked="" type="checkbox"/>	Supplemental Reports to CDC 115	<input type="checkbox"/>	CDC 128 A
<input checked="" type="checkbox"/>	CDC 1030 Confidential Disclosure	<input type="checkbox"/>	CDC 128 B
<input checked="" type="checkbox"/>	CDC 114D Lockup Order	<input type="checkbox"/>	CDC 143 Property Transfer Receipt
<input checked="" type="checkbox"/>	CDC 128G ICC/UCC	<input type="checkbox"/>	Cell Search Slip
<input checked="" type="checkbox"/>	CDC 128G CSR Endorsement Chrono	<input type="checkbox"/>	Receipts
<input checked="" type="checkbox"/>	CDC 839/840 Class/Reclass Score Sheet	<input type="checkbox"/>	Qtr. Pkg. Inventory Slip
<input checked="" type="checkbox"/>	CDC 7219 Medical Report	<input type="checkbox"/>	Trust Account Statement
<input checked="" type="checkbox"/>	Other: SEE COMMENTS BELOW	<input type="checkbox"/>	Property Inventory Receipt

Comments: You may write on back of this form to clarify or respond to the above.

Attach the entire completed 115.

RET'D OCT 18 2007

T. Variz, Correctional Counselor-II  
Appeals Coordinator  
Salinas Valley State Prison

RET'D OCT 12 2007

Date: 10-6-07

This screening action may not be appealed. If you allege the above reason is inaccurate, then attach an explanation on a separate piece of paper, or use the back of this screen out – do not write any more on the appeal itself. Please return this form to the Appeals Coordinator with the necessary information attached.

**PERMANENT APPEAL ATTACHMENT - DO NOT REMOVE**

STATE OF CALIFORNIA

DEPARTMENT OF CORRECTIONS

**INMATE/PAROLEE  
APPEAL FORM**  
 CDC 602 (12/87)

Location: Institution/Parole Region	Log No.	Category
1. _____	1. _____	_____
2. _____	2. _____	_____

You may appeal any policy, action or decision which has a significant adverse affect upon you. With the exception of Serious CDC 115s, classification committee actions, and classification and staff representative decisions, you must first informally seek relief through discussion with the appropriate staff member, who will sign your form and state what action was taken. If you are not then satisfied, you may send your appeal with all the supporting documents and not more than one additional page of comments to the Appeals Coordinator within 15 days of the action taken. No reprisals will be taken for using the appeals procedure responsibly.

*BS*  
*deserves WR*

NAME	NUMBER	ASSIGNMENT	UNIT/ROOM NUMBER
Danny Garcia	V-30568	N/A	B-5 # 214

A. Describe Problem: On 08-26-07 I was found guilty for a mutual combat in which I had stated that I defended myself which I guess was the wrong thing to say for I had restrained Rodea twice to keep him from striking me which he had only done twice and hit me twice, I never hit him, I never even made a fist, I was doing the best I could to keep him from striking me, I thought that was self defense, I guess I was wrong, bottom line, it was not mutual combat. This is the second 602 I've sent in on this subject, I've gotten no response, this is the last before I contact the Inspector General and Internal Affairs so please respond this time. other 602 sent in at 09-16-07

If you need more space, attach one additional sheet.

REC'D OCT 04 2007

B. Action Requested: change the guilty verdict to innocent and notify me ASAP to let me know.

Inmate/Parolee Signature: Danny Garcia

RET'D OCT 12 2007

Date Submitted: 09-25-07

C. INFORMAL LEVEL (Date Received: \_\_\_\_\_)

RECEIVED OCT 16 2007

Staff Response: \_\_\_\_\_

RET'D OCT 18 2007

Staff Signature: \_\_\_\_\_

Date Returned to Inmate: \_\_\_\_\_

**D. FORMAL LEVEL**

If you are dissatisfied, explain below, attach supporting documents (Completed CDC 115, Investigator's Report, Classification chrono, CDC 128, etc.) and submit to the Institution/Parole Region Appeals Coordinator for processing within 15 days of receipt of response.

Signature: \_\_\_\_\_

Date Submitted: \_\_\_\_\_

Note: Property/Funds appeals must be accompanied by a completed

Board of Control form BC-1E, Inmate Claim

CDC Appeal Number: \_\_\_\_\_

--

First Level       Granted       P. Granted       Denied       Other \_\_\_\_\_

E. REVIEWER'S ACTION (Complete within 15 working days): Date assigned: \_\_\_\_\_ Due Date: \_\_\_\_\_

Interviewed by: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Staff Signature: \_\_\_\_\_ Title: \_\_\_\_\_ Date Completed: \_\_\_\_\_

Division Head Approved: \_\_\_\_\_ Returned \_\_\_\_\_

Signature: \_\_\_\_\_ Title: \_\_\_\_\_ Date to Inmate: \_\_\_\_\_

F. If dissatisfied, explain reasons for requesting a Second-Level Review, and submit to Institution or Parole Region Appeals Coordinator within 15 days of receipt of response.  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Signature: \_\_\_\_\_ Date Submitted: \_\_\_\_\_

Second Level       Granted       P. Granted       Denied       Other \_\_\_\_\_

G. REVIEWER'S ACTION (Complete within 10 working days): Date assigned: \_\_\_\_\_ Due Date: \_\_\_\_\_

See Attached Letter

Signature: \_\_\_\_\_ Date Completed: \_\_\_\_\_

Warden/Superintendent Signature: \_\_\_\_\_ Date Returned to Inmate: \_\_\_\_\_

H. If dissatisfied, add data or reasons for requesting a Director's Level Review, and submit by mail to the third level within 15 days of receipt of response.  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Signature: \_\_\_\_\_ Date Submitted: \_\_\_\_\_

For the Director's Review, submit all documents to: Director of Corrections  
 P.O. Box 942883  
 Sacramento, CA 94283-0001  
 Attn: Chief, Inmate Appeals

DIRECTOR'S ACTION:       Granted       P. Granted       Denied       Other \_\_\_\_\_

See Attached Letter      Date: \_\_\_\_\_

NAME and NUMBER

GARCIA

V-30568

B5-214L

CDC-128-B (Rev. 4/74)

On August 4, 2007, at approximately 0720 hours, Inmates GARCIA, V-30568, B5-214L, and RODEA, P-13739, B5-215U, were involved in a mutual combat in Facility 'B' Building #5, within their assigned cell. Both inmates were medically evaluated and noted neither inmate sustained serious injuries as a result of the mutual combat. I proceeded to interview both inmates and they indicated that the altercation was due to a misunderstanding and that the issue had been resolved. Inmates GARCIA and RODEA further stated that they hold no animosity towards one another and could safely co-exist on the same facility with no further hostility. Subsequently, the inmates were housed in separate cells.

Orig: C-File

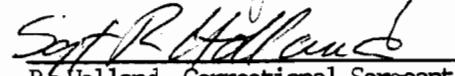
cc: Correctional Counselor I  
Program Sergeant  
Inmate



Inmate GARCIA, V-30568



Inmate RODEA, P-13739



R. Holland, Correctional Sergeant  
Facility 'B' Sergeant  
Salinas Valley State Prison

DATE: 08/04/07

(Compatibility Chrono)

GENERAL CHRONO

NAME and NUMBER

RODEA

P-13739

B5-214U

CDC-128-B (Rev. 4/74)

On August 4, 2007, at approximately 0720 hours, Inmates GARCIA, V-30568, B5-214L, and RODEA, P-13739, B5-215U, were involved in a mutual combat in Facility 'B' Building #5, within their assigned cell. Both inmates were medically evaluated and noted neither inmate sustained serious injuries as a result of the mutual combat. I proceeded to interview both inmates and they indicated that the altercation was due to a misunderstanding and that the issue had been resolved. Inmates GARCIA and RODEA further stated that they hold no animosity towards one another and could safely co-exist on the same facility with no further hostility. Subsequently, the inmates were housed in separate cells.

Orig: C-File

cc: Correctional Counselor I  
Program Sergeant  
Inmate



Inmate GARCIA, V-30568



Inmate RODEA, P-13739



R. Holland, Correctional Sergeant  
Facility 'B' Sergeant  
Salinas Valley State Prison

DATE: 08/04/07

(Compatibility Chrono)

GENERAL CHRONO



STATE OF CALIFORNIA

DEPARTMENT OF CORRECTIONS AND REHABILITATION

MEDICAL REPORT OF INJURY  
OR UNUSUAL OCCURRENCE

NAME OF INSTITUTION <i>SUSP</i>	FACILITY/UNIT <i>BRAVO</i>	REASON FOR REPORT (circle) USE OF FORCE	INJURY UNUSUAL OCCURRENCE	ON THE JOB INJURY PRE AD/SEG ADMISSION	DATE <i>8-407</i>
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THIS SECTION FOR INMATE ONLY	NAME LAST <i>Garcia</i>	FIRST	CDC NUMBER <i>V3CS68</i>	HOUSING LOC. <i>BS-214</i>	NEW HOUSING LOC.
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THIS SECTION FOR STAFF ONLY	NAME LAST	FIRST	BADGE #	RANK/CLASS	ASSIGNMENT/RDOs
--------------------------------	-----------	-------	---------	------------	-----------------

THIS SECTION FOR VISITOR ONLY	NAME LAST	FIRST	MIDDLE	DOB	OCCUPATION
	HOME ADDRESS	CITY	STATE	ZIP	HOME PHONE

PLACE OF OCCURRENCE <i>BS</i>	DATE/TIME OF OCCURRENCE <i>8-407 075</i>	NAME OF WITNESS(ES)
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TIME NOTIFIED <i>0725</i>	TIME SEEN <i>0805</i>	ESCORTED BY	MODE OF ARRIVAL (circle) LITTER AMBULATORY	WHEELCHAIR ON SITE	AGE <i>41</i>	RACE <i>Hyp. 1</i>	SEX <i>M</i>
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BRIEF STATEMENT IN SUBJECT'S WORDS OF THE CIRCUMSTANCES OF THE INJURY OR UNUSUAL OCCURRENCE

*Detaining myself.*

INJURIES FOUND? YES / NO

Abrasion/Scratch	1
Active Bleeding	2
Broken Bone	3
Bruise/Discolored Area	4
Burn	5
Dislocation	6
Dried Blood	7
Fresh Tattoo	8
Cut/Laceration/Slash	9
O.C. Spray Area	10
Pain	11
Protrusion	12
Puncture	13
Reddened Area	14
Skin Flap	15
Swollen Area	16
Other	17
	18
	19

O.C. SPRAY EXPOSURE? YES / NO

DECONTAMINATED? YES / NO

Self-decontamination instructions given? YES / NO

Refused decontamination? YES / NO

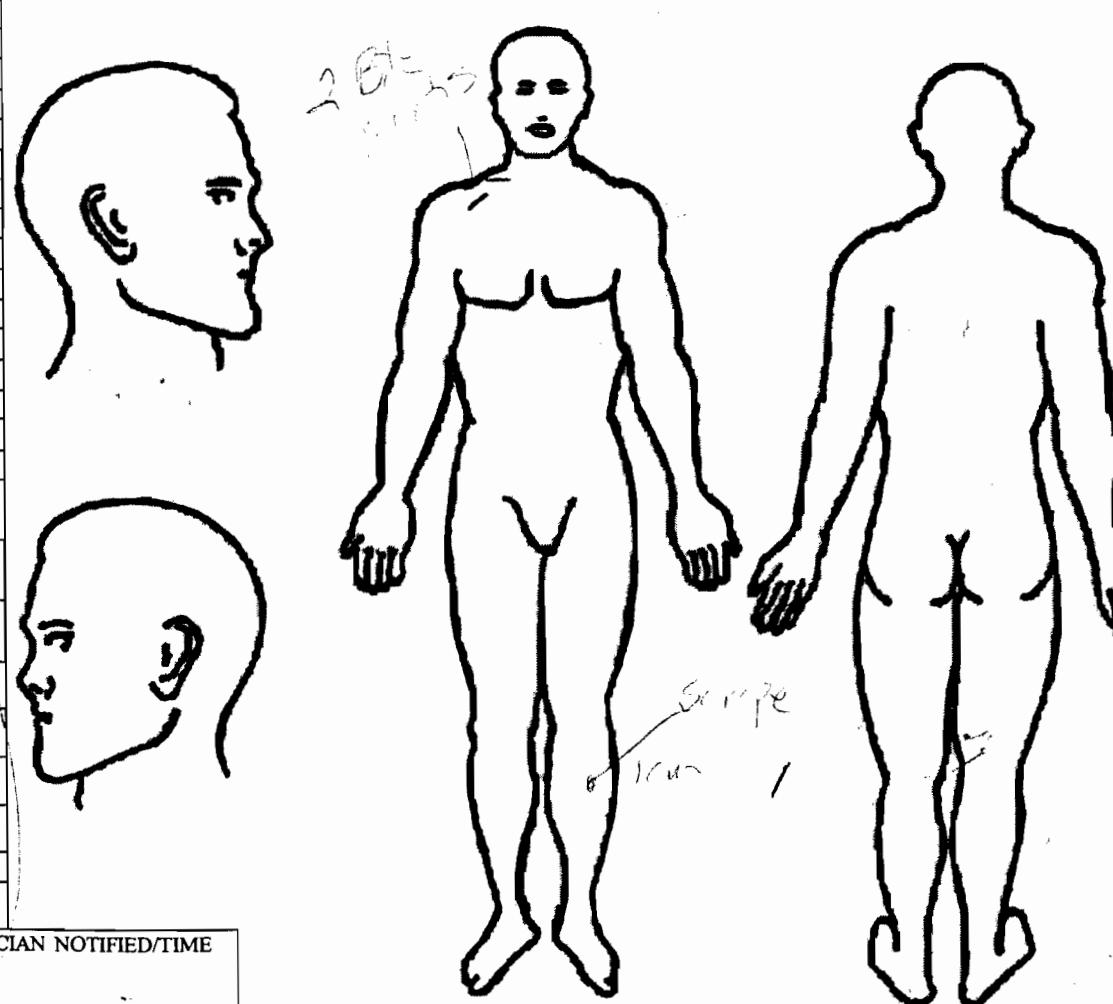
Q 15 min. checks

Staff issued exposure packet? YES / NO

RN NOTIFIED/TIME PHYSICIAN NOTIFIED/TIME

Leslie RN 0815

TIME/DISPOSITION



REPORT COMPLETED BY/TITLE (PRINT AND SIGN)

*Washingtonian*

BADGE #

*786**4328*

RDOs

*Y**4*

(Medical data is to be included in progress note or emergency care record filed in UHR)

STATE OF CALIFORNIA

**RULES VIOLATION REPORT** BY STAFF TO REPORTS ON:

DEPARTMENT OF CORRECTIONS

CDC NUMBER	INMATE'S NAME	RELEASE/BOARD DATE	INST.	HOUSING NO.	LOG NO.
V-37568	GARCIA	10-12-07	S.V.S.P.	PS-214L	207-08-0002
VIOLATED RULE NO(S).	SPECIFIC ACTS	LOCATION	DATE	TIME	
CCR §3005(c)	MUTUAL COMPLAINT	PS-214	08/14/07	0730 hrs	

## CIRCUMSTANCES

On 08/14/07, at approximately 0730 hours, while performing my duties as Facility "P", Building 5, Floor Officer 1, during the morning meal, I was called back to Building 5 via my state issued radio by Officer S. Lopez, the Facility "P" Control Room Officer. Officer Lopez informed me that there were strange noises coming from the "A" Section area. I immediately proceeded to conduct a security check of "A" Section and observed both inmates in PS-214, facing each other and breathing heavy. Cell PS-214 is occupied by inmate TITA (D-13729) and GARCIA (V-37568). I noticed a television was on the cell floor by the desk area and that stuff was scattered about the cell. I observed what appeared to be blood on the shorts of inmate ROTEA. I pressed my personal alarm. I then placed both inmates in mechanical restraints (handuffs) through the cell door food port.

**INMATE GARCIA IS A PARTICIPANT IN THE DEPARTMENT'S MENTAL HEALTH SERVICES DELIVERY SYSTEM (MHSD), AT THE LOW LEVEL OF CARE.**

**INMATE GARCIA'S REACTING TAPE SCORE IS ABOVE 4.0.**

REPORTING EMPLOYEE (Typed Name and Signature)		DATE	ASSIGNMENT	RDO'S
► P. McClellan, Correctional Officer		8/14/07	PS, Flr 1	Mon/Tues
REVIEWING SUPERVISOR'S SIGNATURE		DATE	□ INMATE SEGREGATED PENDING HEARING	
► [Signature]		8/14/07	N/A	
CLASSIFIED □ ADMINISTRATIVE ☒ SERIOUS	OFFENSE DIVISION: D-13729	DATE 8/14/07	CLASSIFIED BY (Typed Name and Signature) ► [Signature]	HEARING REFERRED TO □ HO □ SHO □ SC □ FC
COPIES GIVEN INMATE BEFORE HEARING				
□ CDC 115 207-08-0002	BY: (STAFF'S SIGNATURE) ► [Signature]	DATE	TIME	TITLE OF SUPPLEMENT D-7219 x 2 207-08-0002
□ INCIDENT REPORT LOG NUMBER: 014	BY: (STAFF'S SIGNATURE) ► [Signature]	DATE	TIME	BY: (STAFF'S SIGNATURE) ► [Signature]
HEARING				

REFERRED TO  CLASSIFICATION  BPT/NAEA

ACTION BY: (TYPED NAME)		SIGNATURE ►	DATE	TIME
REVIEWED BY: (SIGNATURE) ►		CHIEF DISCIPLINARY OFFICER'S SIGNATURE ►	DATE	
□ COPY OF CDC 115 GIVEN INMATE AFTER HEARING		BY: (STAFF'S SIGNATURE) ►	DATE	TIME

CDC NUMBER V-37569	INMATE'S NAME CARCTA	VIOLATED RULE NO(S). YR 6305(c)	DATE 08/06/07	INSTITUTION C.V.C.P.	LOG NO. Y07-2-375
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REFERRAL FOR FELONY PROSECUTION IS LIKELY IN THIS INCIDENT  YES  NO**POSTPONEMENT OF DISCIPLINARY HEARING**

<input type="checkbox"/> I DO NOT REQUEST my hearing be postponed pending outcome of referral for prosecution.	INMATE'S SIGNATURE ► N/A	DATE
<input type="checkbox"/> I REQUEST my hearing be postponed pending outcome of referral for prosecution.	INMATE'S SIGNATURE ► N/A	DATE

DATE NOTICE OF OUTCOME RECEIVED

DISPOSITION

<input type="checkbox"/> I REVOKE my request for postponement.	INMATE'S SIGNATURE ► N/A	DATE
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**STAFF ASSISTANT**

STAFF ASSISTANT	INMATE'S SIGNATURE	DATE
<input type="checkbox"/> REQUESTED <input type="checkbox"/> WAIVED BY INMATE	►	
<input type="checkbox"/> ASSIGNED DATE	NAME OF STAFF	
<input type="checkbox"/> NOT ASSIGNED REASON	DRC 330 J.A.	

**INVESTIGATIVE EMPLOYEE**

INVESTIGATIVE EMPLOYEE	INMATE'S SIGNATURE	DATE
<input type="checkbox"/> REQUESTED <input type="checkbox"/> WAIVED BY INMATE	►	
<input type="checkbox"/> ASSIGNED DATE	NAME OF STAFF	
<input type="checkbox"/> NOT ASSIGNED REASON	DRC 330 J.A.	

EVIDENCE / INFORMATION REQUESTED BY INMATE:

**WITNESSES**

WITNESSES REQUESTED AT HEARING (IF NOT PRESENT, EXPLAIN IN FINDINGS)

<input type="checkbox"/> REPORTING EMPLOYEE <input type="checkbox"/> STAFF ASSISTANT <input type="checkbox"/> INVESTIGATIVE EMPLOYEE <input type="checkbox"/> OTHER _____ <input checked="" type="checkbox"/> NONE					
WITNESSES (GIVE NAME AND TITLE OR CDC NUMBER)	GRANTED	NOT GRANTED	WITNESSES (GIVE NAME AND TITLE OR CDC NUMBER)	GRANTED	NOT GRANTED
_____	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>

INVESTIGATIVE REPORT: Investigative Employees must interview the inmate charged, the reporting employee, and any others who have significant information, documenting the testimony of each person interviewed. Review of files, procedures, and other documents may also be necessary.

INVESTIGATOR'S SIGNATURE

DATE

<input type="checkbox"/> COPY OF CDC 115-A GIVEN INMATE	BY: (STAFF'S SIGNATURE) ►	TIME	DATE
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**RULES VIOLATION REPORT - PART C**

CDC NUMBER V-39568	INMATE'S NAME GARCIA	LOG NUMBER FM7-08-0000	INSTITUTION S.V.S.P.	TODAY'S DATE 08/04/07
<input checked="" type="checkbox"/> SUPPLEMENTAL	<input type="checkbox"/> CONTINUATION OF: <input checked="" type="checkbox"/> 115 CIRCUMSTANCES <input type="checkbox"/> HEARING <input type="checkbox"/> IE REPORT <input type="checkbox"/> OTHER _____			

On 08/04/07, at approximately 0725 hours, while performing my duties as Facility 'B', Building 5, Control Booth Officer, I heard loud hanging noises emanating from Building 5, "A" Section area. I called Officer McClellan that someone was hanging on the cell door in the "A" Section area of the building. Officer McClellan conducted a security check of "A" Section and stopped at cell B5-214. Officer McClellan activated his personal alarm. Officer McClellan and responding staff then placed both inmates in handcuffs. Sergeant Holland then instructed me to open cell B5-214, which housed inmate RTFA (B-13739) and inmate GARCIA (V-39568) and both inmates were taken to the 'B' Facility Health Annex for 7219 medical evaluations by medical staff.

SIGNATURE OF WRITER S. TORREZ, CORRECTIONAL OFFICER	DATE SIGNED	
GIVEN BY: (Staff's Signature)	DATE SIGNED	TIME SIGNED
<input checked="" type="checkbox"/> COPY OF CDC 115-C GIVEN TO INMATE		

## RULES VIOLATION REPORT - PART C

PAGE 2 OF 2

CDC NUMBER V-37568	INMATE'S NAME CARCTA	LOG NUMBER 207-08-3002	INSTITUTION S.V.S.P.	TODAY'S DATE 08/04/07
<input type="checkbox"/> SUPPLEMENTAL	<input checked="" type="checkbox"/> CONTINUATION OF:	<input checked="" type="checkbox"/> 115 CIRCUMSTANCES	<input type="checkbox"/> HEARING	<input type="checkbox"/> IE REPORT
<input type="checkbox"/> OTHER				

Sergeant Holland then ordered the cell opened and both inmates were then taken to Facility "B" Health Annex by responding staff for 7219 medical evaluations and placed them both in holding cells. No force was used. I advised inmate RTFA and inmate CARCTA that they were in violation of CCR 3305(c), "MUTUAL COMBAT" and they will be receiving a MVR-115 Rules Violation Report. I also informed both inmates that any further violations of this nature will result in progressive disciplinary action. Both inmates are aware of this report.

(CONTINUED ON MVR PART-C)

SIGNATURE OF WRITER <i>P. McClellan</i> P. McClellan, Correctional Officer		DATE SIGNED <i>8/11/07</i>
<input checked="" type="checkbox"/> COPY OF CDC 115-C GIVEN TO INMATE	GIVEN BY: (Staff's Signature) <i>[Signature]</i>	DATE SIGNED <i>8/11/07</i>
		TIME SIGNED <i>7:30</i>

STATE OF CALIFORNIA  
ADMINISTRATIVE SEGREGATION UNIT PLACEMENT NOTICE  
CDC 114-D (Rev 10/98)

DEPARTMENT OF CORRECTIONS

WHITE - CENTRAL FILE	CANARY - WARDEN
BLUE - INMATE (2ND COPY)	PINK - HEALTH CARE MGR
GREEN - ASU	GOLDENROD - INMATE (1ST COPY)

INMATE'S NAME

CDC NUMBER

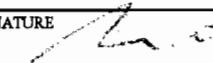
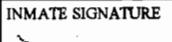
**REASON(S) FOR PLACEMENT (PART A)**

PRESENTS AN IMMEDIATE THREAT TO THE SAFETY OF SELF OR OTHERS  
 JEOPARDIZES INTEGRITY OF AN INVESTIGATION OF ALLEGED SERIOUS MISCONDUCT OR CRIMINAL ACTIVITY  
 ENDANGERS INSTITUTION SECURITY       UPON RELEASE FROM SEGREGATION, NO BED AVAILABLE IN GENERAL POPULATION

## DESCRIPTION OF CIRCUMSTANCES WHICH SUPPORT THE REASON(S) FOR PLACEMENT:

On 8/21/08, Captain [redacted] placed inmate [redacted] in Segregation Unit Placement Notice. The reason for placement is due to the fact that inmate [redacted] has been identified as being responsible for the death of another inmate [redacted]. This inmate was found deceased in his cell on 8/18/08. The cause of death was ruled homicide. The inmate [redacted] was found deceased in his cell on 8/18/08. The cause of death was ruled homicide. The inmate [redacted] was found deceased in his cell on 8/18/08. The cause of death was ruled homicide.

**Note:** Inmate [redacted] is a participant in the Mental Health Treatment Program (MHTP) at the State Prison of San Joaquin.

<input type="checkbox"/> CONTINUED ON ATTACHED PAGE (CHECK IF ADDITIONAL)	<input type="checkbox"/> IF CONFIDENTIAL INFORMATION USED, DATE OF DISCLOSURE: //		
DATE OF ASU PLACEMENT 08/21/08	SEGREGATION AUTHORITY'S PRINTED NAME B. [redacted]	SIGNATURE 	TITLE STAFF ASSISTANT
DATE NOTICE SERVED 08/21/08	TIME SERVED 12:00 PM	PRINTED NAME OF STAFF SERVING ASU PLACEMENT NOTICE [redacted]	SIGNATURE 
INMATE REFUSED TO SIGN <input type="checkbox"/>	INMATE SIGNATURE 	CDC NUMBER	

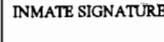
**ADMINISTRATIVE REVIEW (PART B)**

*The following to be completed during the initial administrative review by Captain or higher by the first working day following placement*

**STAFF ASSISTANT (SA)****INVESTIGATIVE EMPLOYEE (IE)**

STAFF ASSISTANT'S NAME	TITLE	INVESTIGATIVE EMPLOYEE'S NAME	TITLE
<b>IS THIS INMATE:</b>			
LITERATE? <input type="checkbox"/> YES <input type="checkbox"/> NO	DECLINED ANY INVESTIGATIVE EMPLOYEE <input type="checkbox"/> YES <input type="checkbox"/> NO	EVIDENCE COLLECTION BY IE UNNECESSARY <input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO
FLUENT IN ENGLISH? <input type="checkbox"/> YES <input type="checkbox"/> NO	ASU PLACEMENT IS FOR DISCIPLINARY REASONS <input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO
ABLE TO COMPREHEND ISSUES? <input type="checkbox"/> YES <input type="checkbox"/> NO	DECLINED 1ST INVESTIGATIVE EMPLOYEE ASSIGNED <input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO
FREE OF MENTAL HEALTH SERVICES DELIVERY SYSTEM NEEDS? <input type="checkbox"/> YES <input type="checkbox"/> NO			
DECLINING FIRST STAFF ASSISTANT ASSIGNED? <input type="checkbox"/> YES <input type="checkbox"/> NO			
Any "NO" requires SA assignment <input type="checkbox"/> NOT ASSIGNED		Any "NO" may require IE assignment <input type="checkbox"/> NOT ASSIGNED	

**INMATE WAIVERS**

<input type="checkbox"/> INMATE WAIVES OR DECLINES INTERVIEW WITH ADMINISTRATIVE REVIEWER	<input type="checkbox"/> INMATE WAIVES RIGHT TO 72 HOURS PREPARATION TIME
<input type="checkbox"/> NO WITNESSES REQUESTED BY INMATE	INMATE SIGNATURE 
DATE	

**WITNESSES REQUESTED FOR HEARING**

WITNESS' NAME	TITLE/CDC NUMBER	WITNESS' NAME	TITLE/CDC NUMBER
WITNESS' NAME	TITLE/CDC NUMBER	WITNESS' NAME	TITLE/CDC NUMBER

**DECISION:**  RELEASE TO UNIT/FACILITY \_\_\_\_\_  RETAIN PENDING ICC REVIEW  DOUBLE CELL  SINGLE CELL PENDING ICC

REASON FOR DECISION:

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ADMINISTRATIVE REVIEWER'S PRINTED NAME	TITLE	DATE OF REVIEW	TIME	ADMINISTRATIVE REVIEWER'S SIGNATURE
CORRECTIONAL ADMINISTRATOR'S PRINTED NAME (if necessary)	CORRECTIONAL ADMINISTRATOR'S CO-SIGNATURE (if necessary)			DATE OF REVIEW

July 15 1950 sun

STATE OF CALIFORNIA  
ADMINISTRATIVE SEGREGATION UNIT PLACEMENT NOTICE  
CDC 114-D (Rev 10/98)

DEPARTMENT OF CORRECTIONS

TO: PI-201 FROM: 25-11

DISTRIBUTION:	CANARY - WARDEN
WHITE - CENTRAL FILE	PINK - HEALTH CARE MGR
BLUE - INMATE (2ND COPY)	GOLDENROD - INMATE (1ST COPY)

INMATE'S NAME

CARITA

CDC NUMBER

1-3050-10

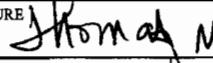
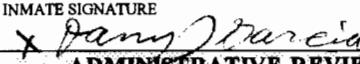
## REASON(S) FOR PLACEMENT (PART A)

PRESENTS AN IMMEDIATE THREAT TO THE SAFETY OF SELF OR OTHERS  
 JEOPARDIZES INTEGRITY OF AN INVESTIGATION OF ALLEGED SERIOUS MISCONDUCT OR CRIMINAL ACTIVITY  
 ENDANGERS INSTITUTION SECURITY       UPON RELEASE FROM SEGREGATION, NO BED AVAILABLE IN GENERAL POPULATION

## DESCRIPTION OF CIRCUMSTANCES WHICH SUPPORT THE REASON(S) FOR PLACEMENT:

Inmate CARITA, V-3050, on 07/17/08, you are being placed into Administrative Segregation due to "Actions of Staff Violation". Upon this, your reason in the Facility is "General violation in Level 2 Block 10". This will affect your safety and the security of this institution. You will remain in V-3050 pending an investigation by ICC review of your future housing/room requirements. This placement will effect your Custody Level, Credit, Ranking, Privilege Group and Visiting Status. Your placement in V-3050 is effected by Lieutenant P. Garcia.

NOTE: Inmate CARITA is a participant in the Mental Health Services Delivery System at the OTL level of care.

<input type="checkbox"/> CONTINUED ON ATTACHED PAGE (CHECK IF ADDITIONAL)	<input type="checkbox"/> IF CONFIDENTIAL INFORMATION USED, DATE OF DISCLOSURE: 11		
DATE OF ASU PLACEMENT 01/17/08	SEGREGATION AUTHORITY'S PRINTED NAME P. Garcia	SIGNATURE 	TITLE LIEUTENANT
DATE NOTICE SERVED 11/17/08	TIME SERVED 1215	PRINTED NAME OF STAFF SERVING ASU PLACEMENT NOTICE THOMAS, M	SIGNATURE 
STAFF'S TITLE SGT	INMATE REFUSED TO SIGN <input type="checkbox"/>	INMATE SIGNATURE 	CDC NUMBER X-V-30508

## ADMINISTRATIVE REVIEW (PART B)

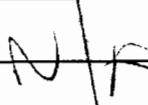
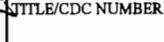
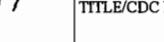
The following to be completed during the initial administrative review by Captain or higher by the first working day following placement.

STAFF ASSISTANT (SA)	INVESTIGATIVE EMPLOYEE (IE)
STAFF ASSISTANT'S NAME ASSIGNED Lorraine CCI	INVESTIGATIVE EMPLOYEE'S NAME N/A
IS THIS INMATE:	
LITERATE? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	EVIDENCE COLLECTION BY IE UNNECESSARY <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
FLUENT IN ENGLISH? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	DECLINED ANY INVESTIGATIVE EMPLOYEE <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
ABLE TO COMPREHEND ISSUES? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	ASU PLACEMENT IS FOR DISCIPLINARY REASONS <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
FREE OF MENTAL HEALTH SERVICES DELIVERY SYSTEM NEEDS? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	DECLINED 1ST INVESTIGATIVE EMPLOYEE ASSIGNED <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
DECLINING FIRST STAFF ASSISTANT ASSIGNED? <input type="checkbox"/> YES	
Any "NO" requires SA assignment <input type="checkbox"/> NOT ASSIGNED	
Any "NO" may require IE assignment <input checked="" type="checkbox"/> NOT ASSIGNED	

## INMATE WAIVERS

<input type="checkbox"/> INMATE WAIVES OR DECLINES INTERVIEW WITH ADMINISTRATIVE REVIEWER	<input type="checkbox"/> INMATE WAIVES RIGHT TO 72 HOURS PREPARATION TIME
<input type="checkbox"/> NO WITNESSES REQUESTED BY INMATE	INMATE SIGNATURE 
DATE	

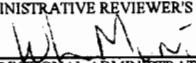
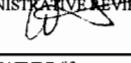
## WITNESSES REQUESTED FOR HEARING

WITNESS' NAME 	TITLE/CDC NUMBER	WITNESS' NAME 	TITLE/CDC NUMBER
WITNESS' NAME 	TITLE/CDC NUMBER	WITNESS' NAME 	TITLE/CDC NUMBER

DECISION:  RELEASE TO UNIT/FACILITY  RETAIN PENDING ICC REVIEW  DOUBLE CELL  SINGLE CELL PENDING ICC

REASON FOR DECISION: Return to PAVLAB SEC, 2X CELL

Part CCRMS

ADMINISTRATIVE REVIEWER'S PRINTED NAME 	TITLE TIC GAF	DATE OF REVIEW 11/18/08	TIME 1630	ADMINISTRATIVE REVIEWER'S SIGNATURE 
CORRECTIONAL ADMINISTRATOR'S PRINTED NAME (if necessary)		CORRECTIONAL ADMINISTRATOR'S CO-SIGNATURE (if necessary)		DATE OF REVIEW

STATE OF CALIFORNIA  
ADMINISTRATIVE SEGREGATION UNIT PLACEMENT NOTICE  
CDC 114-D (Rev 10/98)

FROM: B3-205L

TO: D2-117L

DISTRIBUTION:  
WHITE - CENTRAL FILE  
BLUE - INMATE (2ND COPY)  
GREEN - ASU

CANARY - WARDEN  
PINK - HEALTH CARE MGR  
GOLDENROD - INMATE (1ST COPY)

INMATE'S NAME

GARCIA

CDC NUMBER

V-30568

## REASON(S) FOR PLACEMENT (PART A)

PRESENTS AN IMMEDIATE THREAT TO THE SAFETY OF SELF OR OTHERS  
 JEOPARDIZES INTEGRITY OF AN INVESTIGATION OF ALLEGED SERIOUS MISCONDUCT OR CRIMINAL ACTIVITY  
 ENDANGERS INSTITUTION SECURITY       UPON RELEASE FROM SEGREGATION, NO BED AVAILABLE IN GENERAL POPULATION

DESCRIPTION OF CIRCUMSTANCES WHICH SUPPORT THE REASON(S) FOR PLACEMENT:

Inmate GARCIA, V-30568, on 02/08/08, you are being placed into Administrative Segregation due to your being the "Victim Of A Battery." Specifically, on this date, you were the victim of a battery by an unknown assailant within the Facility B recreation yard. Based on this, your presence in the Facility B SNY-General Population is deemed a threat to your safety and the security of this institution. You will remain in Ad/Seg on Single Cell Status pending an investigation by Correctional Sergeant K. Johnson and I.C.C. review of your future housing/program requirements. This placement will affect your Custody Level, Credit Earning, Privilege Group and Visiting Status. Your placement in Ad/Seg is ordered by Lieutenant R. Parin.

NOTE: Inmate GARCIA is a participant in the Mental Health Services Delivery System at the CCMS level of care.

<input type="checkbox"/> CONTINUED ON ATTACHED PAGE (CHECK IF ADDITIONAL)	<input type="checkbox"/> IF CONFIDENTIAL INFORMATION USED, DATE OF DISCLOSURE:	/ /		
DATE OF ASU PLACEMENT 02/08/08	SEGREGATION AUTHORITY'S PRINTED NAME R. Parin	SIGNATURE	TITLE Lieutenant	
DATE NOTICE SERVED 2/8/08	TIME SERVED 1642 hrs	PRINTED NAME OF STAFF SERVING ASU PLACEMENT NOTICE R. Parin	SIGNATURE	STAFF'S TITLE CPO
<input type="checkbox"/> INMATE REFUSED TO SIGN	INMATE SIGNATURE 	CDC NUMBER V-30568		

## ADMINISTRATIVE REVIEW (PART B)

The following to be completed during the initial administrative review by Captain or higher by the first working day following placement

STAFF ASSISTANT (SA)		INVESTIGATIVE EMPLOYEE (IE)	
STAFF ASSISTANT'S NAME ASC16NFO	TITLE CCJ	INVESTIGATIVE EMPLOYEE'S NAME 	TITLE N/A
IS THIS INMATE:			
LITERATE? <input checked="" type="checkbox"/> YES	NO <input type="checkbox"/>	EVIDENCE COLLECTION BY IE UNNECESSARY <input type="checkbox"/> YES	NO <input type="checkbox"/>
FLUENT IN ENGLISH? <input checked="" type="checkbox"/> YES	NO <input type="checkbox"/>	DECLINED ANY INVESTIGATIVE EMPLOYEE <input type="checkbox"/> YES	NO <input checked="" type="checkbox"/>
ABLE TO COMPREHEND ISSUES? <input checked="" type="checkbox"/> YES	NO <input type="checkbox"/>	ASU PLACEMENT IS FOR DISCIPLINARY REASONS <input type="checkbox"/> YES	NO <input type="checkbox"/>
FREE OF MENTAL HEALTH SERVICES DELIVERY SYSTEM NEEDS? <input type="checkbox"/> YES	NO <input checked="" type="checkbox"/>	DECLINED 1ST INVESTIGATIVE EMPLOYEE ASSIGNED <input type="checkbox"/> YES	NO <input type="checkbox"/>
DECLINING FIRST STAFF ASSISTANT ASSIGNED?			
Any "NO" requires SA assignment		Any "NO" may require IE assignment	
<input type="checkbox"/> NOT ASSIGNED		<input type="checkbox"/> NOT ASSIGNED	

## INMATE WAIVERS

<input type="checkbox"/> INMATE WAIVES OR DECLINES INTERVIEW WITH ADMINISTRATIVE REVIEWER	<input type="checkbox"/> INMATE WAIVES RIGHT TO 72 HOURS PREPARATION TIME
<input type="checkbox"/> NO WITNESSES REQUESTED BY INMATE	INMATE SIGNATURE
	DATE

## WITNESSES REQUESTED FOR HEARING

WITNESS' NAME 	TITLE/CDC NUMBER	WITNESS' NAME 	TITLE/CDC NUMBER
WITNESS' NAME 	TITLE/CDC NUMBER	WITNESS' NAME 	TITLE/CDC NUMBER

DECISION:  RELEASE TO UNIT/FACILITY  RETAIN PENDING ICC REVIEW  DOUBLE CELL  SINGLE CELL PENDING ICC

REASON FOR DECISION:

ADMINISTRATIVE REVIEWER'S PRINTED NAME NLNuriz	TITLE CPT.	DATE OF REVIEW 2/11/08	TIME 1653	ADMINISTRATIVE REVIEWER'S SIGNATURE
CORRECTIONAL ADMINISTRATOR'S PRINTED NAME (if necessary)		CORRECTIONAL ADMINISTRATOR'S CO-SIGNATURE (if necessary)		DATE OF REVIEW

STATE OF CALIFORNIA  
ADMINISTRATIVE SEGREGATION UNIT PLACEMENT NOTICE  
CDC 114-D (Rev 10/98)

DEPARTMENT OF CORRECTIONS

PRM: PJ-205L

TO:

DISTRIBUTION:  
WHITE - CENTRAL FILE  
BLUE - INMATE (2ND COPY)  
GREEN - ASU

CANARY - WARDEN  
PINK - HEALTH CARE MGR  
GOLDENROD - INMATE (1ST COPY)

INMATE'S NAME

GARCIA

CDC NUMBER

V-37568

## REASON(S) FOR PLACEMENT (PART A)

PRESENTS AN IMMEDIATE THREAT TO THE SAFETY OF SELF OR OTHERS  
 JEOPARDIZES INTEGRITY OF AN INVESTIGATION OF ALLEGED SERIOUS MISCONDUCT OR CRIMINAL ACTIVITY  
 ENDANGERS INSTITUTION SECURITY       UPON RELEASE FROM SEGREGATION, NO BED AVAILABLE IN GENERAL POPULATION

## DESCRIPTION OF CIRCUMSTANCES WHICH SUPPORT THE REASON(S) FOR PLACEMENT:

Inmate GARCIA, V-37568, on 02/08/08, you are being placed into Administrative Segregation due to your being the victim of a battery. Specifically, on this date, you were the victim of a battery by an unknown assailant within the Facility B recreation yard. Based on this, your presence in the Facility B SW-General Population is deemed a threat to your safety and the security of this institution. You will remain in AdSeg on Single Cell Status pending an investigation by Correctional Sergeant K. Johnson and I.C.C. review of your future housing/program requirements. This placement will affect your Custody Level, Credit Earning, Privilege Group and Visiting Status. Your placement in AdSeg is ordered by Lieutenant R. Perin.

**NOTE: Inmate GARCIA is a participant in the Mental Health Services Delivery System at the CCS level of care.**

<input type="checkbox"/> CONTINUED ON ATTACHED PAGE (CHECK IF ADDITIONAL)	<input type="checkbox"/> IF CONFIDENTIAL INFORMATION USED, DATE OF DISCLOSURE:	/ /
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DATE OF ASU PLACEMENT 02/08/08	SEGREGATION AUTHORITY'S PRINTED NAME R. Perin	SIGNATURE	TITLE Lieutenant
DATE NOTICE SERVED 2/10/08	TIME SERVED	PRINTED NAME OF STAFF SERVING ASU PLACEMENT NOTICE	SIGNATURE
STAFF'S TITLE		STAFF'S SIGNATURE	

INMATE REFUSED TO SIGN	INMATE SIGNATURE	CDC NUMBER
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## ADMINISTRATIVE REVIEW (PART B)

*The following to be completed during the Initial administrative review by Captain or higher by the first working day following placement*

## STAFF ASSISTANT (SA)

## INVESTIGATIVE EMPLOYEE (IE)

STAFF ASSISTANT'S NAME	TITLE	INVESTIGATIVE EMPLOYEE'S NAME	TITLE
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## IS THIS INMATE:

LITERATE?	<input type="checkbox"/> YES	<input type="checkbox"/> NO	EVIDENCE COLLECTION BY IE UNNECESSARY	<input type="checkbox"/> YES	<input type="checkbox"/> NO
FLUENT IN ENGLISH?	<input type="checkbox"/> YES	<input type="checkbox"/> NO	DECLINED ANY INVESTIGATIVE EMPLOYEE	<input type="checkbox"/> YES	<input type="checkbox"/> NO
ABLE TO COMPREHEND ISSUES?	<input type="checkbox"/> YES	<input type="checkbox"/> NO	ASU PLACEMENT IS FOR DISCIPLINARY REASONS	<input type="checkbox"/> YES	<input type="checkbox"/> NO
FREE OF MENTAL HEALTH SERVICES DELIVERY SYSTEM NEEDS?	<input type="checkbox"/> YES	<input type="checkbox"/> NO	DECLINED 1ST INVESTIGATIVE EMPLOYEE ASSIGNED	<input type="checkbox"/> YES	<input type="checkbox"/> NO
DECLINING FIRST STAFF ASSISTANT ASSIGNED?	<input type="checkbox"/> YES				

Any "NO" requires SA assignment

Any "NO" may require IE assignment

 NOT ASSIGNED NOT ASSIGNED

## INMATE WAIVERS

<input type="checkbox"/> INMATE WAIVES OR DECLINES INTERVIEW WITH ADMINISTRATIVE REVIEWER	<input type="checkbox"/> INMATE WAIVES RIGHT TO 72 HOURS PREPARATION TIME
<input type="checkbox"/> NO WITNESSES REQUESTED BY INMATE	INMATE SIGNATURE
	DATE

## WITNESSES REQUESTED FOR HEARING

WITNESS' NAME	TITLE/CDC NUMBER	WITNESS' NAME	TITLE/CDC NUMBER
WITNESS' NAME	TITLE/CDC NUMBER	WITNESS' NAME	TITLE/CDC NUMBER

**DECISION:**  RELEASE TO UNIT/FACILITY \_\_\_\_\_  RETAIN PENDING ICC REVIEW  DOUBLE CELL  SINGLE CELL PENDING ICC

REASON FOR DECISION:

ADMINISTRATIVE REVIEWER'S PRINTED NAME	TITLE	DATE OF REVIEW	TIME	ADMINISTRATIVE REVIEWER'S SIGNATURE
CORRECTIONAL ADMINISTRATOR'S PRINTED NAME (if necessary)	CORRECTIONAL ADMINISTRATOR'S CO-SIGNATURE (if necessary)			DATE OF REVIEW

State of California  
INFORMED CONSENT FOR MENTAL HEALTH CARE  
CDCR 7448 (06/06)

Department of Corrections and Rehabilitation

INFORMED CONSENT FOR MENTAL HEALTH CARE

**Limits of Confidentiality and Record Keeping for Mental Health Services**

- I understand that my mental health treatment is confidential and mental health staff will not disclose information about my treatment to anyone who is not involved in the mental health program without my permission, unless one of the following exceptions exist:
- Any proceeding where I raise the issue of my mental or emotional condition.
- If I enlist the services of a mental health professional to aid in the commission of a crime or tort or to escape detection after the commission of a crime or tort.
- If my clinician has reason to believe that I have been involved in, or have knowledge of neglect, physical, emotional, or sexual abuse of a child. This includes abuse perpetrated against me as a child, if the abuser may still have access to children and the abuse was not previously reported.
- If my clinician has reason to believe that I have been involved in, or have knowledge of financial exploitation, neglect, physical, emotional, or sexual abuse of an elder or dependent adult.
- When the clinician believes my mental or emotional condition may cause me to be: (a) unable to adequately care for myself; (b) a danger to myself, or (c) a danger to others, and the clinician believes that disclosure is necessary in order to prevent any of the above (such as threats to harm myself or threats to harm others).
- In this setting, it may be necessary for my clinician to disclose confidential information in order to ensure the security of the institution and the safety of the staff, other inmates and the public, and my health and safety (e.g., to prevent escape, to prevent riots or assaults, to prevent the admittance of contraband, in the case of over familiarity or romantic relationships with staff, indecent exposure, or in the case of sexual assault regardless of whether I am the perpetrator or the victim).
- In this setting, information from my Unit Health Record may be used to complete required evaluations, including, but not limited to the Board of Prison Terms Reports, Mentally Disordered Offender evaluations, Sexually Violent Predator evaluations, and evaluations for involuntary medications (Keyhea). In these cases, information from my Unit Health Record may be made available to the courts and to mental health professionals outside of the California Department of Corrections and Rehabilitation.
- I understand that while I am under the supervision of the California Department of Corrections and Rehabilitation, the Mental Health Treatment Team may include correctional counselors, parole officers, and other correctional staff.
- I understand that my treatment will be documented in my Unit Health Record and placement chronos will be placed in my Central File.
- I understand that the Unit Health Record is confidential and can only be read by staff authorized to view it which includes mental health, medical, and dental staff members.
- I understand that my Unit Health Record is confidential and information in the record cannot be released to anyone outside the California Department of Corrections and Rehabilitation without my written consent, except as noted above.

I have read and/or discussed and understand the above statements about confidentiality and record keeping and I have been given the opportunity to ask questions about it.

*Read to I/m I'm refused to sign*  
3/11/08 JS

Inmate's Signature/CDCR Number

*3/11/08*

Date

I have discussed with the inmate the information on this form regarding confidentiality and record keeping for psychological services. It is my opinion he has the capacity to understand this information.

{ } I have discussed with the inmate the information on this form regarding confidentiality and record keeping for psychological services. It is my opinion that he lacks the capacity to understand based on the following evidence:

*[Signature]*  
Clinician's Signature

*3/11/08*

Date

Last Name,  
*Garcia*

First Name:  
*Daniels*

CDC#:  
*V30569*

DOB:  
*2/13/63*

## **INMATE APPEAL ASSIGNMENT NOTICE**

To: INMATE GARCIA, V30568  
Current Housing: D1/201

Date: January 28, 2008

**From: INMATE APPEALS OFFICE**

Re: APPEAL LOG NUMBER: SVSP-D-08-00403

ASSIGNED STAFF REVIEWER: CTC  
APPEAL ISSUE: MEDICAL

**DUE DATE: 03/11/2008**

Inmate GARCIA, this acts as a notice to you that your appeal has been sent to the above staff for FIRST level response. If you have any questions, contact the above staff member. If dissatisfied, you have 15 days from the receipt of the response to forward your appeal for SECOND level review.

T. VARIZ, CC-II / E. MEDINA CC-II  
Appeals Coordinators  
Salinas Valley State Prison

DISTRIBUTION:  
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BLUE - INMATE (2ND COPY)  
GREEN - ASUCANARY - WARDEN  
PINK - HEALTH CARE MGR  
GOLDENROD - INMATE (1ST COPY)

INMATE'S NAME <b>GARCIA</b>	CDC NUMBER <b>V-30568</b>
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**REASON(S) FOR PLACEMENT (PART A)**

PRESENTS AN IMMEDIATE THREAT TO THE SAFETY OF SELF OR OTHERS  
 JEOPARDIZES INTEGRITY OF AN INVESTIGATION OF ALLEGED SERIOUS MISCONDUCT OR CRIMINAL ACTIVITY  
 ENDANGERS INSTITUTION SECURITY       UPON RELEASE FROM SEGREGATION, NO BED AVAILABLE IN GENERAL POPULATION

## DESCRIPTION OF CIRCUMSTANCES WHICH SUPPORT THE REASON(S) FOR PLACEMENT:

Inmate GARCIA, V-30568, you were originally placed in Administrative Segregation on 02/08/08, due to your being the "Victim Of A Battery." The investigation into your battery has been completed. Therefore, due to potential enemies on Facility 'B' you are being retained in AdSeg "Pending Transfer". Based on this your presence in the Facility B SNY-General Population is deemed a threat to your safety and the security of this institution. You will remain in AdSeg pending transfer. This retention will affect your Custody Level, Credit Earning, Privilege Group and Visiting Status. Your retention in AdSeg is ordered by Lieutenant R.A. Vessler.

NOTE: Inmate GARCIA is a participant in the Mental Health Services Delivery System at the CMMS level of care.

<input type="checkbox"/> CONTINUED ON ATTACHED PAGE (CHECK IF ADDITIONAL)		<input type="checkbox"/> IF CONFIDENTIAL INFORMATION USED, DATE OF DISCLOSURE: / /	
DATE OF ASU PLACEMENT <b>03/06/08</b>	SEGREGATION AUTHORITY'S PRINTED NAME <b>R.A. Vessler</b>	SIGNATURE 	TITLE <b>Lieutenant</b>
DATE NOTICE SERVED <b>3/6/08</b>	TIME SERVED <b>1020</b>	PRINTED NAME OF STAFF SERVING ASU PLACEMENT NOTICE <b>S.E. ASENGO</b>	SIGNATURE 
<input type="checkbox"/> INMATE REFUSED TO SIGN <b>I AM REJECTED TO SIGN</b>	INMATE SIGNATURE 	CDC NUMBER <b>90</b>	

**ADMINISTRATIVE REVIEW (PART B)**

The following to be completed during the initial administrative review by Captain or higher by the first working day following placement

STAFF ASSISTANT (SA)		INVESTIGATIVE EMPLOYEE (IE)	
STAFF ASSISTANT'S NAME <b>ASSIGNED CASE Worker</b>	TITLE <b>CCJ</b>	INVESTIGATIVE EMPLOYEE'S NAME	TITLE
IS THIS INMATE:			
LITERATE? <input type="checkbox"/>	YES <input type="checkbox"/> NO <input type="checkbox"/>	EVIDENCE COLLECTION BY IE UNNECESSARY <input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO
FLUENT IN ENGLISH? <input type="checkbox"/>	YES <input type="checkbox"/> NO <input type="checkbox"/>	DECLINED ANY INVESTIGATIVE EMPLOYEE <input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO
ABLE TO COMPREHEND ISSUES? <input type="checkbox"/>	YES <input type="checkbox"/> NO <input type="checkbox"/>	ASU PLACEMENT IS FOR DISCIPLINARY REASONS <input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO
FREE OF MENTAL HEALTH SERVICES DELIVERY SYSTEM NEEDS? <input type="checkbox"/>	YES <input type="checkbox"/> NO <input type="checkbox"/>	DECLINED 1ST INVESTIGATIVE EMPLOYEE ASSIGNED <input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO
DECLINING FIRST STAFF ASSISTANT ASSIGNED? <input type="checkbox"/>	YES <input type="checkbox"/>		
Any "NO" requires SA assignment <input type="checkbox"/> NOT ASSIGNED		Any "NO" may require IE assignment <input checked="" type="checkbox"/> NOT ASSIGNED	

**INMATE WAIVERS**

<input type="checkbox"/> INMATE WAIVES OR DECLINES INTERVIEW WITH ADMINISTRATIVE REVIEWER	<input type="checkbox"/> INMATE WAIVES RIGHT TO 72 HOURS PREPARATION TIME
<input checked="" type="checkbox"/> NO WITNESSES REQUESTED BY INMATE	INMATE SIGNATURE <b>RTS</b>
DATE <b>3-7-08</b>	

**WITNESSES REQUESTED FOR HEARING**

WITNESS' NAME	TITLE/CDC NUMBER	WITNESS' NAME	TITLE/CDC NUMBER
WITNESS' NAME	TITLE/CDC NUMBER	WITNESS' NAME	TITLE/CDC NUMBER

**DECISION:**  RELEASE TO UNIT/FACILITY \_\_\_\_\_  RETAIN PENDING ICC REVIEW  DOUBLE CELL  SINGLE CELL PENDING ICC

REASON FOR DECISION:

**Retain ASU Pend. ICC**  
**INDIANOES INST. SECURITY**

ADMINISTRATIVE REVIEWER'S PRINTED NAME <b>D. C. FLETCHER</b>	TITLE <b>CAPT (A)</b>	DATE OF REVIEW <b>3-7-08</b>	TIME <b>1930</b>	ADMINISTRATIVE REVIEWER'S SIGNATURE 
CORRECTIONAL ADMINISTRATOR'S PRINTED NAME (if necessary)		CORRECTIONAL ADMINISTRATOR'S CO-SIGNATURE (if necessary)		DATE OF REVIEW

DISTRIBUTION:	WHITE - CENTRAL FILE	CANARY - WARDEN
	BLUE - INMATE (2ND COPY)	PINK - HEALTH CARE MGR
	GREEN - ASU	GOLDENROD - INMATE (1ST COPY)

INMATE'S NAME	CARTA	CDC NUMBER	V-3766
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**REASON(S) FOR PLACEMENT (PART A)**

PRESENTS AN IMMEDIATE THREAT TO THE SAFETY OF SELF OR OTHERS  
 JEOPARDIZES INTEGRITY OF AN INVESTIGATION OF ALLEGED SERIOUS MISCONDUCT OR CRIMINAL ACTIVITY  
 ENDANGERS INSTITUTION SECURITY       UPON RELEASE FROM SEGREGATION, NO BED AVAILABLE IN GENERAL POPULATION

DESCRIPTION OF CIRCUMSTANCES WHICH SUPPORT THE REASON(S) FOR PLACEMENT:

Inmate CARTA, V-3766, you were originally placed in Administrative Segregation on 07/15/08, due to your being the "Victim of A Battery." The investigation into your battery has been completed. Therefore, due to potential erosion on Facility #1 you are being retained in A/Sec "Pending Transfer". Based on this your presence in the Facility P SW-General Population is deemed a threat to your safety and the security of this institution. You will remain in A/Sec pending transfer. This retention will affect your Security Level, Credit Rating, Privilege Group and Visiting Status. Your retention in A/Sec is ordered by Lieutenant R.A. Kessler.

**NOTE: Inmate CARTA is a participant in the Mental Health Services Delivery System at the CMHS level of care.**

<input type="checkbox"/> CONTINUED ON ATTACHED PAGE (CHECK IF ADDITIONAL)	<input type="checkbox"/> IF CONFIDENTIAL INFORMATION USED, DATE OF DISCLOSURE:	/ /
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DATE OF ASU PLACEMENT	SEGREGATION AUTHORITY PRINTED NAME <i>R.A. Kessler</i>	SIGNATURE	TITLE <i>Lieutenant</i>	
DATE NOTICE SERVED	TIME SERVED	PRINTED NAME OF STAFF SERVING ASU PLACEMENT NOTICE	SIGNATURE	STAFF'S TITLE
INMATE REFUSED TO SIGN	INMATE SIGNATURE	CDC NUMBER		

**ADMINISTRATIVE REVIEW (PART B)**

*The following to be completed during the initial administrative review by Captain or higher by the first working day following placement*

STAFF ASSISTANT (SA)	INVESTIGATIVE EMPLOYEE (IE)		
STAFF ASSISTANT'S NAME	TITLE	INVESTIGATIVE EMPLOYEE'S NAME	TITLE
IS THIS INMATE:			
LITERATE?	<input type="checkbox"/> YES <input type="checkbox"/> NO	EVIDENCE COLLECTION BY IE UNNECESSARY	<input type="checkbox"/> YES <input type="checkbox"/> NO
FLUENT IN ENGLISH?	<input type="checkbox"/> YES <input type="checkbox"/> NO	DECLINED ANY INVESTIGATIVE EMPLOYEE	<input type="checkbox"/> YES <input type="checkbox"/> NO
ABLE TO COMPREHEND ISSUES?	<input type="checkbox"/> YES <input type="checkbox"/> NO	ASU PLACEMENT IS FOR DISCIPLINARY REASONS	<input type="checkbox"/> YES <input type="checkbox"/> NO
FREE OF MENTAL HEALTH SERVICES DELIVERY SYSTEM NEEDS?	<input type="checkbox"/> YES <input type="checkbox"/> NO	DECLINED 1ST INVESTIGATIVE EMPLOYEE ASSIGNED	<input type="checkbox"/> YES
DECLINING FIRST STAFF ASSISTANT ASSIGNED?	<input type="checkbox"/> YES		
Any "NO" requires SA assignment		Any "NO" may require IE assignment	
<input type="checkbox"/> NOT ASSIGNED	<input type="checkbox"/> NOT ASSIGNED		

**INMATE WAIVERS**

<input type="checkbox"/> INMATE WAIVES OR DECLINES INTERVIEW WITH ADMINISTRATIVE REVIEWER	<input type="checkbox"/> INMATE WAIVES RIGHT TO 72 HOURS PREPARATION TIME
<input type="checkbox"/> NO WITNESSES REQUESTED BY INMATE	INMATE SIGNATURE
DATE	

**WITNESSES REQUESTED FOR HEARING**

WITNESS' NAME	TITLE/CDC NUMBER	WITNESS' NAME	TITLE/CDC NUMBER
WITNESS' NAME	TITLE/CDC NUMBER	WITNESS' NAME	TITLE/CDC NUMBER

**DECISION:**  RELEASE TO UNIT/FACILITY       RETAIN PENDING ICC REVIEW       DOUBLE CELL       SINGLE CELL PENDING ICC  
 REASON FOR DECISION

ADMINISTRATIVE REVIEWER'S PRINTED NAME	TITLE	DATE OF REVIEW	TIME	ADMINISTRATIVE REVIEWER'S SIGNATURE
CORRECTIONAL ADMINISTRATOR'S PRINTED NAME (if necessary)		CORRECTIONAL ADMINISTRATOR'S CO-SIGNATURE (if necessary)		
		DATE OF REVIEW		

**INMATE/PAROLEE  
APPEAL FORM**  
CDC 602 (12-87)

LOCATION	INSTITUTION/PAROLE REGION	LOG NO.	CATEGORY
1.	1.		
2.	2.		

You may appeal any policy, action or decision which has a significant adverse affect upon you. With the exception of Serious CDC 115s, classification committee actions, and classification and staff representative decisions, you must first informally seek relief through discussion with the appropriate member, who will sign your form and state what action was taken. If you are not then satisfied, you may send your appeal with all the supporting documents and not more than one additional page of comments to the Appeals Coordinator within 15 days of the action taken. No reprisals will be made for using the appeals procedure responsibly.

NAME	NUMBER	ASSIGNMENT	UNIT/ROOM NUMBER
Danny Garcia	V-30568	N/A	D-1 #209

A. Describe Problem: On 01-17-08 I was put in AD SEG for my own safety from staff & inmates, on 02-07-08 after an investigation, I was deemed a liar and was put back on B-yard, approx. 10-15 minutes after being back on the yard, 4 unknown inmates snuck up behind me and hit me then all of them attacked me, the attack was sever, I have cut's & bruise's, a bloody nose and stitch'e's on my head or more precise, staple's. I'm immediately put back in AD SEG again for my own safety, On 02-13-08 (my birthday) I went to a psych hearing (ITR?) and a Mrs. Gouch noticed me and ask me if I like being here in AD SEG assuming I was a trouble maker and that it was my fault for being here in AD SEG, I am severely depressed because nobody took me seriously, I've just been attacked, I was asked if I wish to attend this

If you need more space, attach one additional sheet.

next page - - >

B. Action Requested: Remove Mrs. Gouch from the Committee board, as head of the committee she is showing the other psych student's the wrong way to help people, she has never helped me once and now she's hurt me, I don't know if I can trust those people, I definitely don't want to go back to be accused of something I have no control over

Inmate/Parolee Signature: Danny Garcia

Date Submitted: 02-13-08

C. INFORMAL LEVEL (Date Received: \_\_\_\_\_)

Staff Response: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Staff Signature: \_\_\_\_\_ Date Returned to Inmate: \_\_\_\_\_

D. FORMAL LEVEL

If you are dissatisfied, explain below, attach supporting documents (Completed CDC 115, Investigator's Report, Classification chrono, CDC 128, etc.) and submit to the Institution/Parole Region Appeals Coordinator for processing within 15 days of receipt of response.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signature: \_\_\_\_\_ Date Submitted: \_\_\_\_\_ CDC Appeal Number: \_\_\_\_\_

Note: Property/Funds appeals must be accompanied by a completed Board of Control form BC-E. inmate claim

psych committee Case 3:08cv04039 think Document filed 08/25/2008 Page 58 of 78  
Gouch shows no sensitivity for my condition and assumes I'm a trouble maker, asks a dumb and hurtful question (DO I LIKE BEING HEAR IN AD SEG), I was just put back in B-Yard, no one listened to me, I was basically accused of lying, how do you think that made me feel, then with this feeling on top of being scared, I'm attacked and I didn't even really know what was happening because they came from behind, I managed to take a glimpse in between punches to see there was at least 3-4 of them, next thing I know I'm getting up off the ground, blood is gushing from my head, it looked like a water faucet was on, I knew I was hurt bad so I walked over to a CO, who called it in and the yard went down, I was sent to CTC and the doctor's put staples instead of stitches, the whole time my clothes are covered with blood. I'm sent back to B-yard and the whole time my heart's pumping fast, scared to go back to the yard but when I got there the yard was empty so I felt relieved. I was put in a cage in Annex and left to stand in there with just my boxer shorts on, freezing, I'm thinking, will this never end, I've just been attacked, I have staples in my head, I'm still bleeding with a splitting headache and I'm in a cage, more insensitivity. So I'm there for hours while they're trying to find the guy's who did it, then finally late afternoon they take me to AD SEG, I'm put in my cell and once I settle in I look around the cell and noticed that it was set up. New mattress, instead of 1 bar of soap ten, extra toilet paper, all new clothing and blankets, a stack of paper and some envelopes which they do not provide, disinfectant, and the CO even came and brought me some books which they don't usually do, they'll tell you this when you first get here, but I believe it was Lieutenant PARIN who had this done for me and when it all sank in I cried, I was thinking what a bad world we live in, that GOD should destroy it and start all over again and then Lieutenant Parin & these CO's show the first sign of compassion and it overwhelmed me, I'm telling you this so you can put your feet in my shoes to know how I felt and was feeling when I was on my way to the psych committee. I needed their help so I went and Mrs. Gouch says: back again huh, how long were you ~~gone~~ (approx 10-15 min). You were only here for 15 minutes and your back again, do you like it here Mr. Garcia? again the feeling of helplessness is back and the feeling of betrayal, who do I go to for help? how am I to ever trust those people again?

I commend and thank Lieutenant Parin and these CO's here in AD SEG for being the first to show real compassion and concern

Danny Garcia 02-13-08

It's the little things in life that count.

Institution: <b>MCSF</b>	Clinician: <b>Robert Landry, Ph.D.</b>	Date: <b>5-22-06</b>
<b>II. HISTORY (Continued)</b>		
H. Medical History: <input type="checkbox"/> None reported or documented		
Significant head trauma <i>Car accident. Attacked on yard.</i> Allergies		
Coma / Loss of Consciousness		
Seizures		
Other Relevant Medical Problems: <i>High blood pressure. Leg shak.</i>		

I. Mental Health History: <input type="checkbox"/> None reported or documented
Outpatient Care
Inpatient Care
While Incarcerated
At POC: <i>First P&amp;H treatment in County</i>

J. Psychotropic Medication: <input type="checkbox"/> None
Current Psychotropic Medications: <i>Benadryl.</i>
Past Psychotropic Medications and outcomes: <i>wellbutrin, remeron, paxil.</i>
Other Current Medications: <i>Medication for blood pressure.</i>

MENTAL HEALTH EVALUATION <b>CDCR 7386 (06/06)</b> Confidential Client / Patient Information Page 5 of 14	Inmate's Name (Last, First, MI), CDCR Number, DOB  <i>Garcia Danny</i>  <i>V30568 2-13-63</i>
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Institution: MCFP	Clinician:	Date: 5-22-08
<b>III. MENTAL STATUS EXAMINATION</b>		
A. Appearance:		
B. Behavior/Cooperation:		
C. Orientation: <input checked="" type="checkbox"/> WNL		
D. Speech: <input type="checkbox"/> WNL Logorous,		
E. Affect: <input checked="" type="checkbox"/> WNL		
F. Mood: <input type="checkbox"/> WNL mild anxiety		
G. Sleep/Appetite: <input type="checkbox"/> WNL 7 hrs,		
H. Cognition: Fund of Information <input checked="" type="checkbox"/> WNL Intellectual Functioning <input checked="" type="checkbox"/> WNL Concentration <input checked="" type="checkbox"/> WNL Attention <input type="checkbox"/> WNL Memory <input type="checkbox"/> WNL 100 93 86, 77, 70, LA, Sac, SF, STose SD, Bush, Clinton, Bush,		
I. Thought Processes: <input checked="" type="checkbox"/> WNL <input type="checkbox"/> Tangential <input type="checkbox"/> Circumstantial <input type="checkbox"/> Loose		
J. Perception: Hallucinations <input checked="" type="checkbox"/> None		
K. Thought Content: Delusions <input type="checkbox"/> None Ideas of Reference <input checked="" type="checkbox"/> None Obsessions <input checked="" type="checkbox"/> None Magical Thinking <input checked="" type="checkbox"/> None		
L. Insight Judgment <input checked="" type="checkbox"/> WNL <input checked="" type="checkbox"/> WNL		

Inmate's Name (Last, First, MI), CDCR Number, DOB

Garcia Danny

**MENTAL HEALTH EVALUATION  
CDCR 7386 (06/06)**

Confidential Client / Patient Information

Page 7 of 14

V30568 2-13-03

Institution: MTSU

**Clinician:**

---

Robert Landry, Ph.D.

Date: 5-22-08

### **III. MENTAL STATUS EXAMINATION (Continued)**

M. Suicide History:  Ideation       Intent       Plan       Attempt       Gesture

Suicide Risk Assessment Checklist Completed Date: \_\_\_\_\_

Risk Factors:  PC/SNY     Family History     CDCR History of Serious Attempt

Describe history, lethality, current risk and protective factors: Sigme ST in DVT, none recently

No Family ✓

#### N. Current Violence Risk Factors:

#### O. Inmate Strengths:

**IV. SUMMARY:** List DSM Criteria That Justify the Diagnosis.

#### **I list DSM Criteria That Justify the Diagnosis**

**MENTAL HEALTH EVALUATION  
CDCR 7386 (06/06)**

CONFIDENTIAL (30-55)

Page 9 of 14

Inmate's Name (Last, First, MI), CDCR Number, DOB

Ganj

Danny

V30568

1-13-63

Institution:	MCSF	Clinician:	Robert Landry, Ph.D. Staff Psychologist	Date:	5-22-08
<b>V. FUNCTIONAL IMPAIRMENT</b>		Specify:	1=Mild      2=Moderate      3=Severe		
Work/School		Medical		Behavioral Control	
ADL		Interpersonal		Mental Illness Symptoms	
<b>VI. DSM IV DIAGNOSIS (Includes ICD-9 for inpatients)</b>			IDTT Diagnosis Approval Date _____		
Axis I:					
Axis II:					
Axis III:					
Axis IV:					
Axis V:	GAF=				
<b>VII. RECOMMENDATION</b>					
A) <input type="checkbox"/> <b>Does Not Meet Criteria</b> for inclusion in the Mental Health Services Delivery System (MHSDS).					
B) <input type="checkbox"/> <b>Meets Criteria</b> for inclusion in the MHSDS (Check Level of Care [LOC] Below).					
<input type="checkbox"/> 1) Axis I disorder of _____ or <input type="checkbox"/> 2) Inclusion is for <b>Medical Necessity</b> (obtain Chief Psychiatrist signature below. Check LOC)					
C) LOC: <input type="checkbox"/> Clinical Case Management (CCCMS) <input type="checkbox"/> Enhanced Outpatient Program (EOP)					
<input type="checkbox"/> Crisis Bed (MHCB)                          DMH: <input type="checkbox"/> APP <input type="checkbox"/> DTP <input type="checkbox"/> ICF					
E) Recommended Housing : <input type="checkbox"/> Single Cell <input type="checkbox"/> Double Cell    Rationale: _____					
<input type="checkbox"/> No Recommendation					
<b>VIII. BEHAVIORAL ALERTS/RISKS</b>					
<b>IX. RECOMMENDED FOLLOW UP/INITIAL TREATMENT PLAN</b>					
Clinician's Signature:					
Inmate's Name (Last, First, MI), CDCR Number, DOB					
<div style="text-align: center;"> <span>Garcia</span>      <span>Dunny</span>  <span>V30565</span>      <span>2-13-08</span> </div>					
<b>MENTAL HEALTH EVALUATION</b> <b>CDCR 7386 (06/06)</b> Confidential Client / Patient Information Page 11 of 14					

**MENTAL HEALTH EVALUATION  
CDCR 7386 (06/06)**  
Confidential Client / Patient Information  
Page 11 of 14

Inmate's Name (Last, First, MI), CDCR Number, DOB

Garcia Dunny

V30568 2-13-63

Institution: MCSR

**Clinician:**

**Robert Landry, Ph.D.**  
**Staff Psychologist**

Date: 5-22-0K

**ADDENDUM: Add-a-Page**

Insert as Additional Information: Behind Page \_\_\_\_\_, Form \_\_\_\_\_

Add to Top as an update or correction; top form \_\_\_\_\_, regarding page \_\_\_\_\_

**Clinician's Signature:**

*Roberd L. Long D.P.M.*

Inmate's Name (Last, First, MI), CDCR Number, DOB

Garcia

Danny

**MENTAL HEALTH EVALUATION  
CDCR 7386 (06/06)**

**Confidential Client / Patient Information**

Page 13 of 14

V30568

2-13-63

Received  
6/2/08

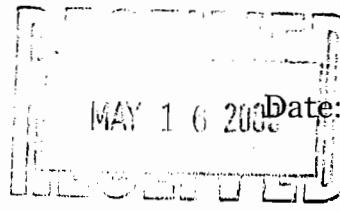
13-142

FAC P set 8/12-  
~~RECEIVED~~  
RECEIVED 31W  
MAY 9 2008

RECEIVED  
MAY 9 2008  
AW/COMPLEX H

## INMATE APPEAL ROUTE SLIP

To: CA2  
CA2  
From: INMATE APPEALS OFFICE



Date: May 8, 2008

Re: Appeal Log Number **SVSP-D-08-02109** By Inmate GARCIA, V30568

Please assign this appeal to appropriate staff for **FIRST** level response.

Appeal Issue: SEGREGATION HEARINGS

Due Date: **06/12/2008**

Special Needs:

DUE 6/15/08

13-231

STAFF INSTRUCTIONS: Per Director's Rule 3084.5(f) (2) first level appeal review requires a personal interview with the inmate unless the appeal is granted. This policy is not within the institution's jurisdiction and cannot be waived. Director's Rule 3084.5(f) (3) provides that a telephonic interview may be conducted if the inmate is not available in person.

Begin response with GRANTED, DENIED, PARTIALLY GRANTED or WITHDRAWN. When complete, return appeal to the Appeals Office. All first level appeals require signature of the Division Head. Appeals that are incomplete will be returned for appropriate completion.

Refer to D.O.M. 54100 for instructions.

T. VARIZ, CC-II / E. MEDINA CC-II  
Appeals Coordinators  
Salinas Valley State Prison

mcsp  
22.04.06  
JUN 25 2008

Sgt. [Signature]

mcsp  
2008 JUN 19 15:00

STATE OF CALIFORNIA

12  
DEPARTMENT OF CORRECTIONS**INMATE/PAROLEE  
APPEAL FORM**  
CDC 602 (12/87)

Location: Institution/Parole Region

Log No.

Category

1. WSPD1. CE-210927

2. \_\_\_\_\_

2. \_\_\_\_\_

CAZ 184

You may appeal any policy, action or decision which has a significant adverse affect upon you. With the exception of Serious CDC 115s, classification committee actions, and classification and staff representative decisions, you must first informally seek relief through discussion with the appropriate staff member, who will sign your form and state what action was taken. If you are not then satisfied, you may send your appeal with all the supporting documents and not more than one additional page of comments to the Appeals Coordinator within 15 days of the action taken. No reprisals will be taken for using the appeals procedure responsibly.

Sgt Johnson

NAME	NUMBER	ASSIGNMENT	UNIT/ROOM NUMBER
Danny Garcia	V-30568	AIA unassigned	D-1 #202

A. Describe Problem In the begining of august of 2007 I put in a 602 alledging staff misconduct and feared for my safety, nothing was done about it. On 01-17-08 I went to see a psych tech (Bonni) and told her of my others and fear of going out to the yard, she suggested I tell the sergeant. I said no, that I don't know who I can trust, I insisted that I wanted to talk to the captain or be assured me I would be able to trust this sergeant (Johnson) so I did and he put me in a cage and stripped me down to my boxers and T-shirt and had me escorted in this condition to AD-SEG where I was treated like all the other inmates there for disciplinary reasons, same restrictions and restraints, this makes no sense, I had done nothing

If you need more space, attach one additional sheet.

B. Action Requested I want to file charges against Salinas Valley State Prison, an employee of CDC for putting my life in danger after I came to them for help for violating my 8th amendment rights and for discrimination. Transfer me immediately close to home (Sacramento) - (Mile Creek St. Prison) and me the proper documents to file a citizens complaint with the Inspector General & the FBI.

Inmate/Parolee Signature: Danny GarciaDate Submitted: 02-19-08

C. INFORMAL LEVEL (Date Received: \_\_\_\_\_)

Staff Response: \_\_\_\_\_

**BYPASS**

Staff Signature: \_\_\_\_\_

Date Returned to Inmate: \_\_\_\_\_

## D. FORMAL LEVEL

If you are dissatisfied, explain below, attach supporting documents (Completed CDC 115, Investigator's Report, Classification chrono, CDC 128, etc.) and submit to the Institution/Parole Region Appeals Coordinator for processing within 15 days of receipt of response.

**BYPASS**

Signature: \_\_\_\_\_

Date Submitted: \_\_\_\_\_

Note: Property/Funds appeals must be accompanied by a completed Board of Control form BC-1E, Inmate Claim

CDC Appeal Number: \_\_\_\_\_

5-7-08 by susp HA92 : 81 dsmuIT NOC 8002

First Level  Granted  P. Granted  Denied  OtherE. REVIEWER'S ACTION (Complete within 15 working days): Date assigned: 5/1/08 Due Date: 6/12/08Interviewed by: K. Mervin

You were transferred to MCSP on 5/12/08.

Your compensation is noted due to file a

An appeal within the Inmate Appeals Process

Staff Signature: M. C. C. Title: COR Date Completed: 6/19/08

Division Head Approved:

Signature: R. Parker Title: WPT Returned Date to File: RET'D JUN 06 2008

F. If dissatisfied, explain reasons for requesting a Second-Level Review, and submit to Institution or Parole Region Appeals Coordinator within 15 days of receipt of response.

Salinas Valley State Prison Staff discriminated against me, put my life in danger and I could have been killed, I came out with stitches and bumps & bruises, my head stings, I want compensation. They put me through a nightmare I can't forget, I still walk around scared, I want to file a 1983 to start proceedings

Signature: Danny Garcia V-30568 Date Submitted: 06-17-08Second Level  Granted  P. Granted  Denied  Other

G. REVIEWER'S ACTION (Complete within 10 working days): Date assigned: \_\_\_\_\_ Due Date: \_\_\_\_\_

 See Attached Letter

Signature: \_\_\_\_\_ Date Completed: \_\_\_\_\_

Warden/Superintendent Signature: \_\_\_\_\_ Date Returned to Inmate: \_\_\_\_\_

H. If dissatisfied, add data or reasons for requesting a Director's Level Review, and submit by mail to the third level within 15 days of receipt of response:

resubmit: see above, partially granted 5/1/08, 6/12/08

Signature: \_\_\_\_\_ Date Submitted: \_\_\_\_\_

For the Director's Review, submit all documents to: Director of Corrections

P.O. Box 942883

Sacramento, CA 94283-0001

Attn: Chief, Inmate Appeals

SVSP INMATE APPEALS OFFICE  
RECEIVED-COMPLETED-RESPONSE ONDIRECTOR'S ACTION:  Granted  P. Granted  Denied  Other See Attached Letter

CDC 602 (12/87)

Date: JUN 06 20081<sup>ST</sup> LVL  2<sup>ND</sup> LVL

wrong, yet here I am in AD-SEG getting the same disciplinary treatment as the other here, this seems clear to me that this is another form of retaliation for making allegations toward staff. On 01-24-08 I go to committee, they decide to retain me in AD-SEG. On 02-01-08 I go before sergeant Johnson who's demeanor is very irate, it seems I was wasting his time, he would ask me a question, I would answer and he would keep putting in his own words while writing it down saying Garcia assumed, I said I didn't say I assumed anything, then said, I can see by your demeanor that you're not here to help me, he stated, no, I'm not, I'm only here to write down what you say, and I don't investigate CO's, and I said but you're not writing down exactly what I'm saying, you're putting it in your own words, and he said, you're a liar and you're making this up or you go along, I'm going to make sure I put you back on my yard, I said, well what if something happens to me? who's going to be responsible? and he said then I'll make sure you stay here in AD-SEG for a year and then I'll put you back on my yard. On 02-07-08 I went back to committee and they took sergeant Johnson's suggestion and ordered me back to B-yard. The next day (02-08-08) I went to the program office where a Mr. Ramos took me off of orientation and I left the program office and walked to the laundry to get my clothes and then started to walk across the yard to go back to the building because I knew it wasn't safe for me on the yard when an unknown inmate stopped me and started saying that the reason he did was because I looked like a homeboy of his and the next thing I know someone hit me from behind, apparently there was four of them who attacked me at the same time, I just remember getting up off the ground and seeing blood gushing out of my head from somewhere and I knew I was hurt badly so I walked over to the program office where a CO was and I yelled at him he went inside, so I walked over to the annex where sergeant Johnson and a few CO's were hanging out and yelled sergeant! He looked and asked me what happened?, I said, what do you think happened, I told you I couldn't be on this yard. So they took me to medical, checked me over, ISU officer, Lt. Martinez came in and said he would like to talk to me later in private, I needed stitches so they sent me to CTC where a doctor put in a few staples and gave me a full set of X-rays to make sure nothing else was wrong. After being there for

when I got there the yard was clear, I felt relieved, then they put me back in a small cage in annex and stripped me down to my boxer and left me there for hours freezing my tail off. All this seems so wrong, I was just attacked by four inmates who I don't even know, my stitches are starting to bleed, my nose is also bleeding, I ask for some tissue, I have a splitting headache, I have bumps all over me and they have one locked in this small cage in only my boxer.

These are clearly 8th amendment violations, I should be lying down somewhere recuperating. All of this could've been avoided if someone would've taken the first 602 back in August seriously, instead this tragedy had to happen, I gave that 602 to Lieutenant Hessler who handed it to a sergeant Holland, Lt Hessler told him to give it to the captain's secretary, the captain (Muniz) never got it, I talked to him, he stated that it was side stepped, I apologized for going to an outside agency (Inspector General) but I couldn't get a hold of him, he in turn apologized to me for not being able to help me, this was in the month of January of 08, now it's 02-16-08 and I'm in AD-SEG. On 02-14-08 I went to committee, they said to retain me here upon investigation, but what are they investigating? They caught the four inmates who attacked me, a friend (Ben Picasso) identified them, their in AD-SEG along with Mr. Picasso whose life is now in danger and shouldn't be allowed back on that yard. They state [REDACTED] that they don't investigate CO's, so what's to investigate? Captain Muniz stated at committee that the decision will most likely be to not put me back on B-yard which is what should've been the decision in the first place. I sit here in AD-SEG reliving what happened to me over and over, no appliances (T.V.) to take my mind off of what happened. I try to read but keep reading the same paragraph over and over, I can't concentrate, this is a bad situation for me, it feels like the punishment (retaliation) hasn't stopped yet.

A number of other inmates are here in AD-SEG for similar reasons, why was I the only one put back on the yard?

## INMATE REQUEST FOR INTERVIEW

STATE OF CALIFORNIA  
DEPARTMENT OF CORRECTIONALINSTITUTIONS  
DOC NUMBER

INMATE ID D&E	FROM (LAST NAME)		TO	
	04-28-08	Sgt. Rameriz	T54	Garcia
HOLDING	BED NUMBER	WORK ASSIGNMENT	FROM	ASSIGNMENT HOURS
D-1	202		TO	
OTHER ASSIGNMENT (SCHOOL, THERAPY, ETC.)				

Clearly state your reason for requesting this interview.  
 You will be called in for interview in the near future if the matter cannot be handled by correspondence.

*Sergeant Rameriz, I am coming to you for help, like sent this 602 into the appeals coordinator and have gotten no response, today is 04-28-08 and I'm going to put in another copy to see if they'll except it and respond to it. I'm sending you this copy so at least you will know that*

*DOC NUMBER: 04-28-08 DATE: 04-28-08*

DATE

INTERVIEWED BY

INPOSITION

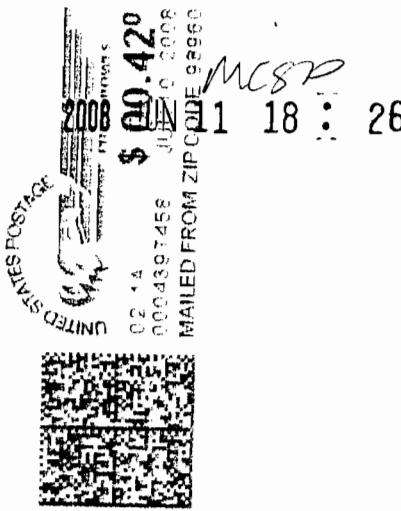
I've written a 602 and have sent two copies onto the appeals coordinator.  
I did that I'm trying to do my part in trying to help clear up  
this place, like I had told you before don't mean sacrificing  
myself for a greater good, so I don't want what happened to  
me to be in vain. Maybe you can send the 602 in from your  
end if I'm not able to do it from mine, I'm also sending  
it to you so you can know in detail what really happened  
to me, you seemed to be genuinely concerned so I thought  
maybe this can help in the investigation and maybe even help  
me.

'Sincerely Danny J. Flores'

04-28-08

This is a copy of the envelope stamped June 11, 2008 to show when I received these documents, I'm keeping the originals and I've already sent a copy to the Inspector General.

SALINAS VALLEY STATE PRISON  
INMATE APPEALS OFFICE  
P.O. BOX 1020  
SOLEDAD, CA 93960



MULE CREEK STATE PRISON  
P.O. BOX 40999  
IONE, CA 95640  
ATTN: INMATE APPEALS OFFICE

MCSP-2008-ESOC

MCSP-2008-ESOC

~~alicia~~  
the 602 and my new job separate, to be professional and she stated that I haven't even given her a chance yet, so I told her she's right, I'm going to take a step back and give her a chance, so let's start with a clean slate and she agreed but clearly she had no intentions of doing so, I'm told she's trying to get me fired, she's trying to take my pay number from me, check to see if she filed papers. After my job was done she called me and started to lecture me again, I mentioned to her that she's singling out, she states that she didn't see the other porter, but we stood at the table at the same time and the other porter took a tray first and I did after him and then followed him approx. 3-4 feet behind him, so how could she not see him, was I being set up again? you need to check previous 602 to know what I'm talking about, so she insist on me telling her who the other porter was, so I told her, again she states she didn't see him so I forgot how it was stated but making a mistake came up and she stated even <sup>(me)</sup> you make mistakes or you wouldn't be in prison and I said I didn't make a mistake to be in here and you shouldn't be bringing up my ~~reason~~ for being here, you don't know what really happened and she said I'm tired of you, get up against the wall, she kept kicking my inner ankle to spread wider and I couldn't go any wider, again another lecture and mack (Co McCollan) stepped in and said ~~that~~ that we'll start fresh tomorrow after Ramos told me to lock it up, so I locked it up and waited for dayroom, at 1:00 pm, the doors opened and I stepped out and Ramos stopped me and asked me what my hours were, I told her 7:45 AM to 2:45 pm and she said I can't come out until 3rd watch, of course that doesn't make any sense but as you can see this has gotten out of hand; mainly because I've sent a citizen's complaint to the Inspector General and the F.B.I. and I've gotten no response so I believe there not letting my legal mail out, this gives them a false sense of power/power that they abuse.

11-18-07

7:30 AM, porter's let out for job, 8:20 I'm let out only and put on cleaning crevices on floor, approx 11:50 sitting in cell, Mack in tower on the intercom saying if 214 (Garcia) doesn't check in in 5 minutes were going out to get him, at approx 4:30 Dave (porter) comes by for phone sign up, tell's me Mack said not to sign me up, after working in the morning at approx. 8:50 AM went to talk to Mack to elevate this abuse, he says, I don't know why you would accuse me of getting you up, this is what happen's because you want to be an asshole.  
11-23-07 I asked for the phone and Dave (porter) said that I need to talk to Mack first, why?, I'm AIA I get the phone everyday, ~~so~~ I shouldn't have to beg.

STATE OF CALIFORNIA  
**RIGHTS AND RESPONSIBILITY STATEMENT**  
 CDCR 1858 (Rev. 10/06)

DEPARTMENT OF CORRECTIONS AND REHABILITATION

## RIGHTS AND RESPONSIBILITY STATEMENT

*The California Department of Corrections and Rehabilitation has added departmental language (shown inside brackets, in non-boldface type) for clarification purposes.*

**Pursuant to Penal Code 148.6, anyone wishing to file an allegation of misconduct by a departmental peace officer must read, sign and submit the following statement:**

**YOU HAVE THE RIGHT TO MAKE A COMPLAINT AGAINST A POLICE OFFICER [this includes a departmental peace officer] FOR ANY IMPROPER POLICE [or peace] OFFICER CONDUCT. CALIFORNIA LAW REQUIRES THIS AGENCY TO HAVE A PROCEDURE TO INVESTIGATE CITIZENS' [or inmates'/parolees'] COMPLAINTS. YOU HAVE A RIGHT TO A WRITTEN DESCRIPTION OF THIS PROCEDURE. THIS AGENCY MAY FIND AFTER INVESTIGATION THAT THERE IS NOT ENOUGH EVIDENCE TO WARRANT ACTION ON YOUR COMPLAINT; EVEN IF THAT IS THE CASE, YOU HAVE THE RIGHT TO MAKE THE COMPLAINT AND HAVE IT INVESTIGATED IF YOU BELIEVE AN OFFICER BEHAVED IMPROPERLY. CITIZEN [or inmate/parolee] COMPLAINTS AND ANY REPORTS OR FINDINGS RELATING TO COMPLAINTS MUST BE RETAINED BY THIS AGENCY FOR AT LEAST FIVE YEARS.**

COMPLAINANT'S PRINTED NAME <i>Danny Garcia</i>	COMPLAINANT'S SIGNATURE <i>Danny Garcia</i>	DATE SIGNED <i>04-01-08</i>
INMATE/PAROLEE PRINTED NAME <i>Danny Garcia</i>	INMATE/PAROLEE'S SIGNATURE <i>Danny Garcia</i>	CDC NUMBER <i>V-30568</i> DATE SIGNED <i>04-01-08</i>
RECEIVING STAFF'S PRINTED NAME	RECEIVING STAFF'S SIGNATURE	DATE SIGNED

DISTRIBUTION:  
 ORIGINAL -  
 Public - Institution Head/Parole Administrator  
 Inmate/Parolee - Attach to CDC form 602  
 Employee - Institution Head/Parole Administrator  
 COPY - Complainant

**INMATE/PAROLEE  
APPEAL FORM**  
CDC 602 (12-87)

Location / Institution/Parole Region	Log No.	Category
1. _____	1. _____	_____
2. _____	2. _____	_____

You may appeal any policy, action or decision which has a significant adverse affect upon you. With the exception of Serious CDC 115s, classification committee actions, and classification and staff representative decisions, you must first informally seek relief through discussion with the appropriate member, who will sign your form and state what action was taken. If you are not then satisfied, you may send your appeal with all the support documents and not more than one additional page of comments to the Appeals Coordinator within 15 days of the action taken. No reprisals will be taken for using the appeals procedure responsibly.

NAME	NUMBER	ASSIGNMENT	UNIT/ROOM NUMBER
Danny R. Garcia	V-30568	AIA unassigned	D-1 #209

A. Describe Problem *In the begining of august of 2007 I put in a 602 regarding staff misconduct and feared for my safety, nothing was done about it. On 01-17-08 I went to see a psych tech (Bonilla) and told her of my stress and fear of going out to the yard, she suggested I tell the sergeant, I said no, that I don't know who I can trust, I insisted that I wanted to talk to the captain only, she assured me I would be able to trust this sergeant (Johnson), so I did and he put me in a cage and stripped me down to my boxers and t-shirt and had me escorted in this condition to AD. SEG. where I was treated like all the other inmates there for disciplinary reasons, same restrictions and restraining, this makes no sense, I had done nothing wrong, yet*

If you need more space, attach one additional sheet.

over to extra sheet  
of paper →

B. Action Requested *I want to file charges against Salinas Valley State Prison, an employee of CDC, for putting my life in danger after I came to them for help. For violating my 8th amendment rights and for discrimination. Transfer me imediately close to home (Sacramento)-(mule creek). Send me the proper documents to file a citizens complaint with the Inspector General & F.B.I (FBI)*

Inmate/Parolee Signature: Danny R. Garcia

Date Submitted: 02-19-08

C. INFORMAL LEVEL (Date Received: \_\_\_\_\_ )

Staff Response: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Staff Signature: \_\_\_\_\_ Date Returned to inmate: \_\_\_\_\_

D. FORMAL LEVEL

If you are dissatisfied, explain below, attach supporting documents (Completed CDC 115, Investigator's Report, Classification chrono, CDC 128, etc.) and submit to the Institution/ Parole Region Appeals Coordinator for processing within 15 days of receipt or response.

Signature: \_\_\_\_\_ Date Submitted: \_\_\_\_\_

Note: Property/Funds appeals must be accompanied by a completed Board of Control form HC-1 E. inmate claim

CDC Appeal Number: \_\_\_\_\_

E. REVIEWER'S ACTION (Complete within 15 working days): Date assigned: \_\_\_\_\_ Due Date: \_\_\_\_\_

Interviewed by: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Staff Signature: \_\_\_\_\_ Title: \_\_\_\_\_ Date Completed: \_\_\_\_\_

Division Head Approved: \_\_\_\_\_ Returned \_\_\_\_\_

Signature: \_\_\_\_\_ Title: \_\_\_\_\_ Date to Inmate: \_\_\_\_\_

F. If dissatisfied, explain reasons for requesting a Second-Level Review, and submit to Institution or Parole Region Appeals Coordinator within 15 days of receipt of response.  
\_\_\_\_\_  
\_\_\_\_\_

Signature: \_\_\_\_\_ Date Submitted: \_\_\_\_\_

Second Level     Granted     P. Granted     Denied     Other \_\_\_\_\_

G. REVIEWER'S ACTION (Complete within 10 working days): Date assigned: \_\_\_\_\_ Due Date: \_\_\_\_\_

 See-Attached Letter  
\_\_\_\_\_  
\_\_\_\_\_

Signature: \_\_\_\_\_ Date Completed: \_\_\_\_\_

Warden/Superintendent Signature: \_\_\_\_\_ Date Returned to Inmate: \_\_\_\_\_

H. If dissatisfied, add date or reasons for requesting a Director's Level Review, and submit by mail to the third-level within 15 days of receipt of response.  
\_\_\_\_\_  
\_\_\_\_\_

Signature: \_\_\_\_\_ Date Submitted: \_\_\_\_\_

For the Director's Review, submit all documents to: Director of Corrections  
P.O. Box 942883  
Sacramento, CA 94283-0001  
Attn: Chief, Inmate AppealsDIRECTOR'S ACTION:     Granted     P. Granted     Denied     Other \_\_\_\_\_ See Attached Letter    Date: \_\_\_\_\_

here I am, in ad-seg. getting the same disciplinary treatment as the other here. This seem  
clear to me that this is another form of retaliation for making allegations toward staff.

On 01-24-08 I go to committee, they decide to retain me in ad-seg. On 01-31-08 I  
go to committee again, again they decide to retain me in ad-seg. On 02-~~04~~<sup>01</sup>-08 I go before  
Sergeant Johnson whose demeanor is very irate, it seems I was wasting his time, he  
would ask me a question, I would answer, and he would keep putting in his own words  
while writing it down saying Garcia assumed, I said I didn't say I assumed anything  
he'd said, I can see by your demeanor that you not here to help me, he stated, no  
I'm not, I'm only here to write down what you say, and I don't investigate CO's, and  
I said but you not writing down exactly what I'm saying, your putting in your own  
words, and he said, you're a liar and you're making this up as you go along, I'm  
going to make sure I put you back on my yard, I said well what if something  
happens to me, who's going to be responsible, and he said then I'll make sure you  
stay here in ad-seg for a year and then I'll put you back on my yard. On 02-07-08  
I went back to committee and they took Sergeant Johnson's suggestion and ordered  
me back to B-yard. The next day 02-08-08 I went to the program office where  
- Mr. Ramor took me off of orientation and I left the program office and walked to  
laundry to get my clothes and then started to walk across the field to go back to  
the building because I knew it wasn't safe for me on the yard when an unknown  
inmate stopped me and started saying that the reason he did was because I looked like  
- homeboy of his and the next thing I know - someone hit me from behind, apparently  
there was four of them who all attacked me at the same time, I just remember getting  
up off the ground and seeing blood gushing out of my head from somewhere and  
I knew I was hurt bad, so I walked over to the program office after a CO was and  
I yelled at him, he went inside so I turned and walked to Annex where Sergeant  
Johnson and a few CO's were hanging out and yelled Sergeant! he looked and  
asked me what happened, I said what you think, I told you I couldn't be on this yard.

So they took me to medical, checked me over, ISU officer, Lieutenant Martinez  
came in and said he would like to talk to me later in private, I needed stitches so  
they sent me to CTC where a doctor put in a few staples and gave me a full set



of x-ray's to make sure nothing else was wrong. After being there for awhile they decide to take me back to B-yard, now I'm scared again but when I get there the yard is clear, I felt relieved, then they put me back in a small cage in annex and strip me down to my boxers and leave me there for hours freezing my tail off. All of this seems so wrong, I was just attacked by four inmates who I don't even know, my stitches are starting to bleed, my nose is also bleeding, I ask for some tissue, I have a splitting headache, I have bumps and bruises all over me and they have me locked in this small cage in only my boxers. There are clearly 8th amendment violations, I should be lying down somewhere recuperating. All of this could have been avoided if someone would have taken the first 602 back in August seriously. I noted this tragedy was to happen, I gave that 602 to Lieutenant Dessler who handed it to a sergeant Holland, Lt. Keon told him to give it to the captain's secretary, the captain never got it (Muniz) I talked to him, he stated that it was side stepped, I apologized for going to an outside agency but I couldn't get a hold of him (<sup>outside agency</sup> Inspector General) he in turn apologized to me for not being able to help me, this was in the month of January of 08, now its 02-16-08 and I'm in Ad. reg. On 02-14-08 I went to committee, they say retain me here in ad. reg. upon investigation but what are they investigating? They caught the four inmates who attacked me, a friend Ben Picard identified them, there in ad. reg. along with Mr. Picard who life is now in danger and shouldn't be allowed back on that yard. They state that they won't investigate CO's, so what's to investigate? Captain Muniz stated at committee the decision will most likely to be to not put me back on B-yard which is what should have been the decision in the first place. I sit here in ad. reg. reliving what happened to me over and over no appliance (T.V.) to take my mind off of what happened. I try to read it keep reading the same paragraph over and over, I can't concentrate, this is a bad situation for me, it feels like the punishment hasn't stopped yet.

Action requested:  
continued:

To whom it may concern, I, Danny Garcia am writing to you to let you know what's been happening, I wrote you a letter before to inform you of crimes against inmates, I had received your letter acknowledging that you had received my letter and an ISU officer did come to the building although I don't know if it was because of the letter I sent in to you. Enclosed is a copy of a 602 I've sent in to the appeals coordinator that will let you know what's happened so you'll understand why I had come to you in the first place for help hoping to avoid this kind of tragedy. The date today is 04-06-08 and I still haven't received a response, I remember from a previous letter you stated for one to go through the appeals process first which as of now you'll be able to see that that doesn't always work. Back in August the 602 I had given to Lt. Hessler who handed it to Sergeant Holland to give to the captain's secretary had never reached its destination so nothing was ever done about it until I had talked to Dr. Bonilla (Psych.Tech) on 01-17-08.

I've signed up for the law library to make some more copies of the 602 so I'm able to send you a copy and for me to keep the original which should be sometime next week which will also give them a few more days to respond. I went to committee after I sent in the 602 (008) and they've had a change of heart about sending me to Mule Creek State Prison which is where it was suggested to send me (close to home-Sacramento) at a previous committee in January, now they want to send me to Jamestown, naturally I'm going to 602 that decision, I have not had a visit yet because it's always been too far and my Dad has a bad back, he's already had surgery but it went bad again, one of his legs goes numb, and my mom has had surgery twice on her hips. I put in a 602 on this subject and it was sent back stating that it was incomplete, that I had to send the paper work with the 602, what paper work? were they supposed to give me some forms that state they are sending me to Jamestown? If so d

never received it so I don't know what my next move is, at the top of the 602 sent back to me someone had written hardship which I guess maybe they want me to go about it with that reasoning again I'm not sure what to do. At this same committee I had asked them to give me the legal forms needed to file charges against the inmates who attacked me, they said no that I didn't even see them which is true but there was a witness which is why they've been caught and why they're in AD-SEG, I don't know if this is true but at yard here my cellie had spoken to someone who just happens to be in the same building as them and the word is that nothing's going to happen to them, if this is true I would still like to file charges on them, what they did to me I wouldn't want that to happen to anyone, something needs to happen to them so they'll never want to do that again to anyone, not only that but what if the same CO's sent them after me? you think that may be the reason nothing's going to happen to them? could this have been done to me for telling on them by notifying you? I had a visit from an ISU officer here in AD-SEG and he seemed to be asking more questions about what I told you than asking about what had happened to me, I thought that was kind of odd, why were they so concerned about what I had told you? I also have enclosed copies of my package being sent back and the legal document that states I could've had it put in my personal property. At another committee they had made the decision to keep me here in AD-SEG, I had asked them to place me in T.P.U. (Temporary Placement Unit) and they said no, that reminded me of what Sergeant Johnson had said about him making sure I stay here in AD-SEG for a year, all of this seems like retaliation & discrimination, violating my 8th amendment rights by keeping me in AD-SEG where we're not allowed to receive our

packages for the first year unless it was ordered before we entered AD-SEG which of course is what I had done, I had ordered it the last week of December so I would receive it as early as possible in January, were handcuffed anytime we leave the cell even to go take a shower, the yard is a dog kennel cage, they give us a bar of soap with the diameter of a quarter and if we want more we have to give up a shower to receive one more. The first three weeks I was in here I was sleeping on a mattress which was not a mattress, it was dark grey, no material on it, straight foam approx. 2 inches thick, maybe, and the one I had was stained a yellowish brown and smelled like urine, I covered it with a sheet but to no avail, I couldn't sleep all night, I'd wake up every night and could not go back to sleep, I have cramps for a new mattress but the CO's didn't care, after I came back after the attack, medical came and brought me a new mattress, there more but I just wanted to give you a general idea of what its like to be in AD-SEG, these conditions and restrictions are to ~~the~~ extreme even for someone who is in here for disciplinary reasons, but to put me in here with these conditions when I'm not in here for disciplinary reasons is a violation of my rights, the package sending me to James Town instead of Mule Creek, nothing happening to the inmates who attacked me, not answering the 602 I sent in on wanting to file charges on Dalmas Valley State prison, not ~~giving~~ giving me forms with one of those 602's had told me I need in order to fight the transfer to James Town, are all these bad things just coincidence? or is this what happen when we try to exert our rights? as you can see things have gotten real bad for me and I'm trying to do my best to stop it from getting worse but as you can see I need your help again and this time its' much

much worse. There are other inmates in here who have been telling <sup>me</sup> events that have happened to them and the reason they are in here (AD-SEG). There are some mint yards here that have been closed because of abuse to inmates where no one can see, no witness, one day I got up to use the sink and I saw two C.O.s escorting an inmate out of that yard, I thought it kind of strange since those yards are not to be used so when we went to yard (not kennel cage) I asked him and he told me they held him while another wrapped a towel around his neck and started to choke him, there is still a lot of cleaning up to do here and to be honest I don't mind sacrificing myself for a greater good so please don't let what's happening go in vain, don't let the inmates or those C.O.s or this committee get away with this, I hope what has happened to me is what you or the F.B.I. has been waiting for to be able to finish cleaning up this place ~~or~~ or being able to take over (F.B.I.)

Please send me a letter of acknowledgement and maybe some information on what to do about these different areas of which I'm having problems with, help me to eliviate these problems before they get out of hand. I would feel safer if you can send a representative to come and speak to me personally. I'm also still fighting the mutual combat decision with time constraints have been exceeded but Ass. Dept. Warden R. Grounds suggest that I still try. Some things here are getting a little better, it may be because of my presence here but of course that wouldn't matter except for the fact that they know I convey with you, so please send a representative to see me. Sincerely Danny Garcia

be entertainment appliances, applies to all inmates based upon the following definition.

*NOTE:* For purposes of this article, an appliance is defined as:

- 1) Any electrical appliance (excluding prescribed medical appliances and battery rechargers) that relies on institution/facility power resources to operate.
- 2) Any audio/visual entertainment appliances such as radios, televisions, cassette/disk players, etc. (In Level I, Level II and women's facilities, personal audio entertainment appliances that are operated exclusively by battery power (no-adapter or power cord) are exempt from the three-appliance limit. In Level III and Level IV facilities, all personal audio entertainment appliances are subject to the three-appliance limit, regardless of electric or battery operated power source. Televisions in all levels of housing are subject to the three-appliance limit).
- 3) Battery operated, non-entertainment appliances that do not rely on institution/facility power resources (Battery operated, non-entertainment appliances are not subject to the three-appliance limit).

Items shall be shipped to the inmate's respective institution/facility by the approved vendor in a factory sealed container.

It is the responsibility of the inmate and/or the third party to ensure that packages are ordered in advance to ensure adequate delivery time.

The year shall begin January 1 and end on December 31. The quarters are:

1<sup>st</sup> - January 1 through March 31.

2<sup>nd</sup> - April 1 through June 30.

3<sup>rd</sup> - July 1 through September 30.

4<sup>th</sup> - October 1 through December 31.

#### Privilege Group A/Privilege Group B

Inmates in Privilege Group A and B shall be allowed four packages per year (one per quarter) not to exceed 30 pounds each.

#### Privilege Group C

Inmates in Privilege Group C shall not be allowed an inmate package. Inmates prohibited from receiving a package resulting from recent placement into Privilege Group C, shall not be issued a package which was ordered prior to Privilege Group C placement. Disallowed packages shall be disposed of pursuant to Section 54030.12.2.

#### Privilege Group D

Inmates in Privilege Group D, including those inmates housed in ASU/Security Housing Unit (SHU) and Psychiatric Services Unit (PSU), shall be permitted to acquire one inmate package per year not to exceed 30 pounds each. Eligibility to acquire an inmate package commences one year after the date of Privilege Group D assignment.

Inmates in ASU/SHU/PSU may also purchase an entertainment appliance via the Special Purchase Process. The right to possess an entertainment appliance commences

Inmates prohibited from receiving a package as a result of ASU placement shall be allowed to retain the package in their stored personal property if the package was ordered prior to ASU placement and the inmate was otherwise qualified to receive it.

#### Privilege Group U

Inmates in Privilege Group U shall not be allowed an inmate package.

*Note:* The local Inter-Disciplinary Treatment Team (IDTT) may further restrict or allow additional authorized personal property on a case-by-case basis, above that allowed by the inmate's assigned Privilege Group.

#### 54030.9 Inmate Package Vendor Approval

Vendors for Inmate Packages, except those vendors approved locally for special religious foods as provided for in Section 54030.7.1, must receive Department approval prior to providing services to institutions/facilities.

The Deputy Director, DA1, has the authority to establish vendor approval guidelines for Inmate Packages, and to add or remove vendors from the approved list.

Vendors must submit a completed vendor application package to the designated unit within the DA1. Requests for approval must include all additional materials and catalogs of items provided with prices. The vendor name and contact information will be provided to the institutions/facilities upon approval.

It is the intent of the Department to ensure Inmate Package Program catalog items are priced in a fair manner when compared with common retailers in major markets. Consideration for additional operating expenses shall be given to inmate package vendors due to the requirement to meet all vendor criteria (DOM 54030.9.1, Criterion Number 1).

CDCR reserves the right to withdraw any vendor approval subject to 30 calendar days written notice to the vendor. However, any agreement can be immediately terminated for cause. The term "for cause" shall mean that the vendor fails to meet any terms, conditions, and/or responsibilities of an agreement. In this instance, the agreement termination shall be effective as of the date indicated on the State's notification to the vendor.

#### 54030.9.1 Inmate Package Vendor Criteria

Vendors submitting requests for Department approval shall meet the following minimum requirements:

1. All merchandise offered for sale by the vendor is subject to price comparison. Price comparison shall be conducted by CDC during initial vendor approval and throughout the length of any agreement or contract based upon advertised catalog prices.

Vendor prices will be compared with non-sale prices on an identical product for product basis at major nondiscount retailers in the following major California markets:

STATE OF CALIFORNIA

DEPARTMENT OF CORRECTIONS

CDC 1858 (2/97)

## RIGHTS AND RESPONSIBILITY STATEMENT

*The California Department of Corrections has added departmental language (shown inside brackets, in non-boldface type) for clarification purposes.*

***[Pursuant to Penal Code 148.6, anyone wishing to file an allegation of misconduct by a departmental peace officer must read, sign and submit the following statement.]***

**YOU HAVE THE RIGHT TO MAKE A COMPLAINT AGAINST A POLICE OFFICER [this includes a departmental peace officer] FOR ANY IMPROPER POLICE [or peace] OFFICER CONDUCT. CALIFORNIA LAW REQUIRES THIS AGENCY TO HAVE A PROCEDURE TO INVESTIGATE CITIZENS' [or inmates'/parolees'] COMPLAINTS. YOU HAVE A RIGHT TO A WRITTEN DESCRIPTION OF THIS PROCEDURE. THIS AGENCY MAY FIND AFTER INVESTIGATION THAT THERE IS NOT ENOUGH EVIDENCE TO WARRANT ACTION ON YOUR COMPLAINT; EVEN IF THAT IS THE CASE, YOU HAVE THE RIGHT TO MAKE THE COMPLAINT AND HAVE IT INVESTIGATED IF YOU BELIEVE AN OFFICER BEHAVED IMPROPERLY. CITIZEN [or inmate/parolee] COMPLAINTS AND ANY REPORTS OR FINDINGS RELATING TO COMPLAINTS MUST BE RETAINED BY THIS AGENCY FOR AT LEAST FIVE YEARS.**

**IT IS AGAINST THE LAW TO MAKE A COMPLAINT THAT YOU KNOW TO BE FALSE. IF YOU MAKE A COMPLAINT AGAINST AN OFFICER KNOWING IT IS FALSE, YOU CAN BE PROSECUTED ON A MISDEMEANOR CHARGE. [An inmate/parolee who makes a complaint against a departmental peace officer, knowing it is false, may be issued a serious disciplinary rule violation, in addition to being prosecuted on a misdemeanor charge.]**

COMPLAINANT'S PRINTED NAME <u>Danny Garcia</u>	COMPLAINANT'S SIGNATURE <u>Danny Garcia</u>	DATE SIGNED 09-28-07	
INMATE/PAROLEE PRINTED NAME <u>Danny Garcia</u>	INMATE/PAROLEE'S SIGNATURE <u>Danny Garcia</u>	CDC NUMBER V-30568	DATE SIGNED 09-28-07
RECEIVING STAFF'S PRINTED NAME	RECEIVING STAFF'S SIGNATURE		DATE SIGNED

**DISTRIBUTION:****ORIGINAL -**

Public - Institution Head/Parole Administrator  
 Inmate/Parolee - Attach to CDC form 602  
 Employee - Institution Head/Parole Administrator  
 COPY - Complainant

STATE OF CALIFORNIA

DEPARTMENT OF CORRECTIONS

**INMATE/PAROLEE  
APPEAL FORM**  
 CDC 802 (12/87)

Location: Institution/Parole Region	Log No.	Category
1. _____	1. _____	_____
2. _____	2. _____	_____

You may appeal any policy, action or decision which has a significant adverse affect upon you. With the exception of Serious CDC 115s, classification committee actions, and classification and staff representative decisions, you must first informally seek relief through discussion with the appropriate staff member, who will sign your form and state what action was taken. If you are not then satisfied, you may send your appeal with all the supporting documents and not more than one additional page of comments to the Appeals Coordinator within 15 days of the action taken. No reprisals will be taken for using the appeals procedure responsibly.

NAME	NUMBER	ASSIGNMENT	UNIT/ROOM NUMBER
Danny Garcia	V-30568		B-5 # 214

A. Describe Problem: *On 08-03-07 my Celli Rodea started calling me out to fight, Kept calling me name's with threats, came at me which of course left me no choice but to defend myself, he was blocking the doorway so when he came at me I pushed him all the way back and slammed him against the door so that the CO's on duty would hear and come but they did not, I finally let him go after approx 7-8 minutes thinking he might stop and help should be here by now but help did not come and he came after me again, this we fought for a long time for approx 12-13 minutes, I tried holding him down for as long as I could which is when*

If you need more space, attach one additional sheet.

B. Action Requested: *Involv outside agencies fir my safety to investigate allegations of me being set up by the co's (FBI, Inspector General) suspend the co's that left their post and failed to do their job, (all co's that were on duty in # building at the time of the incident) transfer to another facility for my safety.*

Inmate/Parolee Signature: *Danny R. Garcia*

Date Submitted: 08-12-07

C. INFORMAL LEVEL (Date Received:

Staff Response: *DENIED, THE CONTROL BOOTH OFFICER NOTIFIED B5 FROM STAFF WHO WHERE LOCKING UP B2 FOR CLOW THAT HE HEARD A LOUD NOISE. APPROXIMATELY 5 MINUTES LATER AFTER THE COMPLETION OF LOCKING UP B2, THE GUARD MADE A SECURITY CHECK & AN ALARM WAS ACTIVATED. YOUR COMPANION WAS NOT REMOVED, HE WAS MOVED TO B2 TO SEPARATE YOU TWO.*

Staff Signature: *CIO D. RAMOS*

Date Returned to Inmate: 8-28-07

D. FORMAL LEVEL

If you are dissatisfied, explain below, attach supporting documents (Completed CDC 115, Investigator's Report, Classification chrono, CDC 128, etc.) and submit to the Institution/Parole Region Appeals Coordinator for processing within 15 days of receipt of response.

Signature: \_\_\_\_\_

Date Submitted: \_\_\_\_\_

Note: Property/Funds appeals must be accompanied by a completed

CDC Appeal Number:

Board of Control form BC-1E, Inmate Claim

--

08-12-07 he started biting me, I couldn't take this anymore so I grabbed his hair for my safety and got off of him and pulled him with me to the door where I started kicking the door for help, I kicked over and over again, I finally let him go and he backed off to the dock and I glanced at CO Lopez in the tower who shrugged his shoulders so I kept kicking the door, I would only glance at CO Lopez to see what was taking so long and I only glanced for my safety for I didn't want to take my eyes off Rodea, approx. 3-4 times CO Lopez just shrugged his shoulders, finally after approx. 13-15 minutes CO McMellan (AKA Mack) showed up and seen that we had fought and then he finally hit the Alarmy CO McMellan stated he was in another building which was why it took him so long but shouldn't there be another CO on the floor, and CO Lopez was in here, why did it take approx. 30 minutes for help to come? this incompetence & put my life at risk, I could've been seriously hurt in that amount of time.

Rodea was sentenced to an indeterminate shoe, why is he here with us level three says? I've been approached by one of his homeboys after the fight with an indirect threat and now this CO is going to make the building CO's mad at me so I fear retaliation from them or other CO's, taking appliances just to check if one owns it, cell searches with they tear up the cell, withholding package's and a lot of other 8th amendment violation's I know about, I've been told I was set up by the CO's, what proof? 30 minutes to come to help and Rodea was rewarded by being put in building #2 and in the cell he had been trying to get into for approx a month. So I want to believe the FDI and the Inspector General to investigate this and other atrocities I know about, from this point on I fear for my safety from the CO's and some of Rodea's ~~friends~~ friends.

Danny Garcia

V-30568

10-08-07

To whom it concerns, I Danny Garcia am writing you to inform you of crimes against inmates by CO's. I've written a letter to you before with evidence inside, CO's that had been denied in several different areas, notes from inmates to me asking me for help with detailed descriptions of what has or is happening to them and I believe it was intercepted by the CO's here and this is why I believe this to be true, one I never got any response from you, too, I was moved out of building two and into building five and everyone knows that you're not allowed to five unless you've done something wrong.

When me and my cellie arrived to five we were approached by CO Statler, why are you here!?! I don't know, what did you do wrong!?! nothing, are you having problems with an inmate at one of the CO's!?! no, this third degree we got when we arrived proves the point that you don't come to five building unless you've done something wrong, the next day my cellie was approached by some inmates from two building who told him that the CO (Maldonado) said that will move him back in that they just wanted me out or should stay in five building. Now he was part of the transfer (cellie) to Cohesion to be put on the bunkie bin the day soon so I got a different cellie, Juan Pachas, straight from the show, now let me get to what was in the large legal envelope I had tried to send you, I'll start with the incident and the sergeant I believe is behind all of this. An inmate was being escorted to Annex by a Sgt. McWay, the inmate was handcuffed and as they turned by laundry Sgt. McWay reached behind the inmates neck and slammed his face on the ground and it just so happened to have been done right in front of Francis Alias (inmate) who was working in laundry and as you can imagine seeing something like that right in front of you would scare you or anger you or both, so Mr. Alias wrote a letter to the Warden just thing you know over

Darryl Borda

V-305.68

10-08-07

Sgt. McRae and a number of CO's stormed Mr. Alias cell and pulled him out, now before that happened Mr. Alias had asked for my help with the proper authorities but after they pulled him out of his cell they threatened him, asked him if he had an out date, (yes) and told him if he wants to see it to stop telling on them, they told him they would stick a shank in his cell and charge him with it, Sgt McRae had put his face into Mr. Alias face and told him you never tell on me, Mr. Alias was scared and came to me again and told me not to notify the authorities, not to do anything because he wanted to be able to get out of prison eventually so I did as he asked one too, but when he was transferred to Coshkin I figure now they can't follow through with their threats so I got every letter he had given me, (one of victim, threats towards him, asking for help, asking me to stop) and some other important documents and sent them to the Inspector General, next thing you know Jim moved to B-5, nothing really happens on this yard without pretty much everyone knowing, B-5, a gay guy moved in and everyone knows B-5 does not except gays, the CO's played an inmate (his name I can't get for you if you need it but you have to keep me safe) a T.V to beat up this gay guy and yes he did it, the yard went down, Jim at the handball court, and I see the CO's escorting the gay guy to another, never seen him again, so now Jim in B-5, I got this new cell, (Rodra) he's trying to move in B-2 with his bonies, B-2 CO's say ok and try but B-5 CO's keep stopping it, next thing I know Rodra attacking me, I restrain him both times etc please read the 602 for detail and realize that I filing a 602 on the CO's McMullan, Rameis, and Lopzy, Jim in the program office talking to Lieutenant Hessler who I send the 602 to and he hands it to Sgt Holland and Hessler tells Holland to give it to the captain secretary, but as you can see there is no captain signature on it, no lieutenants or even a Sergeant signature on it, somehow it made it all the way

etc.

Danny Garcia

V-30568

10-08-07

back to D. Ramon who happens to be implicated in these crimes who naturally denies it but also admits in being in B-2 the day of the incident who tries living about helping B-2 to lock up but there was no lockdown that day and it seems only on lockdown days do they go to other building's to help or locking up so what were they doing, talking about making the arrangements to move Rodes to where he had been trying to move too while he did these duty work all for Sgt. Mc Ray, these CO's had told Rodes to do it because of my charges because after he was moved to B-2 a number of inmates (friend & foe) had told me they heard a lot of bad things about me and of course it came from Rodes who was informed by the CO's who have no business in my file or telling inmates why I'm here, now I get a lot of negativity and even two threats, who do I tell? the CO's, yeah right, that's going to do me good so now its unsafe for me to be here because the CO's are after me and their using the inmates to do their dirty work so there no place for me to go for help except to notify the proper authorities and hope that these attendants got through to someone before something happens to me again and <sup>(next)</sup> this time it could be worse.

I was found guilty for mutual combat with in away, I ~~wanted~~ <sup>him</sup> best as I could for as long as I could until help could come, of course I didn't know at the time I was being set up and this was no help available, but still it was not mutual combat, these people (CO's) are out to get me any way they can because I had to stand up for our rights, please come and help as soon as possible. There are only a few crimes being committed against inmates and you can see how your not being notified of these crimes, they are threats, stop mail, any inmates to go after you D. Ramon what else and how long this has been going on, notifying Inspector General, FBI, Internal Affairs, and maybe the Warden (Evans). Sincerely Danny Garcia V-30568 10-08-07

COPY INFORMATION ONTO PAGE 1 AFTER MENTAL HEALTH EVALUATION IS COMPLETED.

Robert Landry, Ph.D.

Institution: <u>MCSF</u>	Clinician: <u>Staff Psychologist</u>	Date: <u>5-22-08</u>
<b>I. PATIENT INFORMATION / PRESENTING PROBLEM / SUMMARY OF EVALUATION</b>		
A. Current Setting: <input checked="" type="checkbox"/> GP <input type="checkbox"/> ASU <input type="checkbox"/> SHU <input type="checkbox"/> RC <input checked="" type="checkbox"/> CCCMS <input type="checkbox"/> EOP <input type="checkbox"/> PSU <input type="checkbox"/> MHCB <input type="checkbox"/> Other: _____		
Classification Score: _____ Data Source(s) for this Evaluation: <input checked="" type="checkbox"/> Interview <input type="checkbox"/> C-File <input type="checkbox"/> UHR <input type="checkbox"/> Other _____		
I/M Ethnicity: <u>Mexican</u>	Non-English Language: _____	Level: I / II / III / IV <u>46</u>
CDCR Release Date: <u>L.R.</u>	Inmate Interviewed On: <u>5/12/08</u>	Level of Cooperation: _____
Consent for Release of Information on File: <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Records Requested Date: _____ <input type="checkbox"/> Records obtained from: _____		
B. Reason for Evaluation: <u>Intake</u>		
<input type="checkbox"/> MH Screening Indicates Possible: <input type="checkbox"/> Thought Disorder <input type="checkbox"/> Mood Disorder <input type="checkbox"/> Suicidality <input type="checkbox"/> Other _____		
<input type="checkbox"/> Staff Referral Indicates: <input type="checkbox"/> MH History <input type="checkbox"/> Medication Review <input type="checkbox"/> Danger to Self <input type="checkbox"/> Danger to Others <input type="checkbox"/> Other _____		
<input type="checkbox"/> Patient Self Referral Describe: _____		
C. Current Diagnosis Axis I: <u>311.0 Depressive Disorder</u>		
Axis II: <u>301.1 Narcissistic PD</u>		
Axis III:		
Axis V: Current GAF: <u>67</u> AIMS Score: _____ AIMS Date: _____ <input type="checkbox"/> Keyhea Keyhea Expires: _____		
D. Behavioral Alert: <input type="checkbox"/> Suicidal <input type="checkbox"/> Self Injurious <input type="checkbox"/> Assaultive <input type="checkbox"/> Gravely Disabled <input type="checkbox"/> Other: _____		
Other Relevant Information: _____ DD Category: _____		
E. List Medications, Dose, Route, Frequency: <u>Bendryl</u>	Target Symptoms, Compliance, Duration: _____	
	_____	
	_____	
	_____	
Allergies: _____	_____	
F. Clinical Summary and Recommendation: _____		
_____		
_____		
G. <input type="checkbox"/> New Level of Care: <input checked="" type="checkbox"/> CCCMS <input type="checkbox"/> EOP <input type="checkbox"/> MHCB DMH: <input type="checkbox"/> APP <input type="checkbox"/> ICF <input type="checkbox"/> DTP		
H. Parole Date: _____ Region/Office: _____		
Parole Agent: _____	Phone Number: _____	Fax Number: _____
I. Evaluation Follow Up Time Frame: _____		Medication Follow-up Time Frame: _____
		Inmate's Name (Last, First, MI), CDCR Number, DOB  <u>Garcia Dunn</u>
<b>MENTAL HEALTH EVALUATION</b> <b>CDCR 7386 (06/06)</b> Confidential Client / Patient Information Page 1 of 14		<u>V30568</u> <u>2-13-63</u>

Institution: <b>ICSP</b>	Clinician: <b>Robert Landry, Ph.D.</b>	Date: <b>5-22-08</b>
<b>II. DEVELOPMENTAL AND SOCIAL HISTORY</b>		
A. Family of Origin: Raised by: <u>Parents Divorced age 7, split between Parents</u> Siblings: <u>2 brothers (+2, -5) sister +1</u>		
Family Problems: <input type="checkbox"/> Mental Health <input type="checkbox"/> Alcohol <input type="checkbox"/> Drug <input type="checkbox"/> Criminal		
Describe: <u>Poor growing up in the country. Parents did field work (dove tractors). Mother worked for state.</u>		
Childhood Trauma: <input checked="" type="checkbox"/> Denied; No evidence		
Describe:		
B. Education: <input type="checkbox"/> Standard Highest Grade Completed: <u>12<sup>th</sup> grade d. didn't graduate</u>		
<input type="checkbox"/> Behavior Problems <input type="checkbox"/> Special Education/Learning Disability <input type="checkbox"/> Developmental Disability		
Comments: <u>School disrupted by transfers between parents residences. No GED good student. Electronics school graduate.</u>		
C. Marital: S / M / D / W _____ Number of Marriages: <u>1</u> Longest Marriage: <u>11 years</u> Children: <u>F 4 M</u>		
Comments: <u>24, 23, 22, 17, all older attended college.</u>		
D. Work History: <input checked="" type="checkbox"/> Always <input type="checkbox"/> Periodic <input type="checkbox"/> Rarely Veteran: <input type="checkbox"/> Reported <input type="checkbox"/> Verified		
Income Source: <input type="checkbox"/> Work <input type="checkbox"/> Disability <input type="checkbox"/> SSI <input type="checkbox"/> Homeless Issues Adult Years Employed: _____		
Occupation(s): <u>Burgularularium instillation.</u> Longest Period of Employment <u>15 years</u>		
Comments: _____		
E. Criminal History: <input type="checkbox"/> No Priors <input type="checkbox"/> Juvenile History <input type="checkbox"/> Gang Affiliation <input type="checkbox"/> Adult Arrests/Convictions		
Describe: <u>Minor DV arrest no conviction.</u> Molested 11 year old daughter of GF & 1 year old		
Current Offense(s): <u>SNY in county</u> Molested step-sister 1981 when he was 18, she was 10 resurfaced when she was 13		
F. History of Violence: <input type="checkbox"/> None Describe: <u>DV</u>		
G. Adjustment to Incarceration: <input checked="" type="checkbox"/> Adequate <input type="checkbox"/> Poor <input type="checkbox"/> 115's <input type="checkbox"/> SHU Term <input type="checkbox"/> Gangs <input type="checkbox"/> Safety Concerns		
Describe: _____		

Inmate's Name (Last, First, MI), CDCR Number, DOB

**Garcia Punny****V30565 2-13-63**
**MENTAL HEALTH EVALUATION  
CDCR 7386 (06/06)**

Confidential Client / Patient Information

Page 3 of 14

**ADDENDUM:** Add-a-Page; Insert-a-Page    N / C / S Region, Service Area = , Institution =

Additional Page and/or Update Page Use with Assessments, Data Base, Treatment Plan

Insert as Additional Information: Behind Page # \_\_\_\_\_, Form \_\_\_\_\_ Date: \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_ completed.

Add toTop as Update or Correction: Top Form , Regarding Page # , Date: / / completed.

Page	Section	Narrative:	Sign, Name Stamp, Date
7/3/05		<p>Update of PHI dated 7/26/04.</p> <p>Faxed notes written by Dr. Marks -</p> <p>Little changes -</p> <p>I/M continues to suffer Agx. D/O C depressive &amp; anx. ST. stable C</p> <p>Close my vessel &amp; current psych meds</p> <p>I/M complaint of increase of terrors last night agreed -</p>	<p>DAVID SANDLER, Ph.D. STAFF PSYCHOLOGIST, PVSP</p> <p>DAVID SANDLER, Ph.D. STAFF PSYCHOLOGIST, PVSP</p>

<b>MENTAL HEALTH ASSESSMENT:</b> <b>MENTAL HEALTH DATA BASE</b> Part One - History Section Part Two - Diagnostic Section + Placement Addendum: Add-a-Page / Insert-a-Page MH 1 [3/19/96] Confidential Client/Patient Information See W & I Code, Section 5328	<b>LEVEL OF CARE</b>	Last Name: <b>GARCIA, D.</b>  Inpatient <b>V30568</b> 2-13-68 Outpatient     CDC # _____      DOB _____	First Name:  MI:
--	----------------------	--	------------------------

IV. CURRENT MENTAL STATUS: ("Within-Normal-Limits" = WNL; Describe Deviations)			Critical <input checked="" type="checkbox"/>
A. Appearance..... <input checked="" type="checkbox"/> WNL <input type="checkbox"/>			
B. Behavior..... <input checked="" type="checkbox"/> WNL		Speech <input checked="" type="checkbox"/> WNL <input type="checkbox"/>	
C.. Mood ..... <input type="checkbox"/> WNL experienced depression			
1. Sleep..... <input type="checkbox"/> WNL or wakes up at night due to antidepressant thinking			
2. Appetite..... <input type="checkbox"/> WNL & E weight loss w/ 5 <sup>th</sup> year TMI & appetite			
3. Affect..... <input checked="" type="checkbox"/> WNL			
D. Cognition:			
1. Fund of Information..... <input checked="" type="checkbox"/> WNL			
2. Intellectual Functioning .. <input checked="" type="checkbox"/> WNL			
3. Organization of Thought.. <input checked="" type="checkbox"/> WNL			
4. Association of Thought.... <input checked="" type="checkbox"/> WNL			
5. Reality Contact..... <input checked="" type="checkbox"/> WNL			
6 Thought Quality ..... <input type="checkbox"/> WNL OK orientation			
E. Perception Disturbance (Hallucination) ..... <input checked="" type="checkbox"/> None Persecution			
F. Thought Content (Delusions, Preoccupation) .. <input type="checkbox"/> None keeps and believes really severe what a mess up world is like			
G. Sensorium (Orientation, Memory, Attention, Concentration)..... <input type="checkbox"/> WNL alert & oriented X 4 log 3 words after 5 min			
H. Insight and Judgment ..... <input type="checkbox"/> WNL inmate views that officers are plotting against him / lying			
I. Interview Attitude ..... <input type="checkbox"/> WNL neutral - I have been here feels it is understood & expected this role			
J. Current Suicidality..... <input type="checkbox"/> None states some intentions don't feel clear but CO protects other			
K. Current Violence Risk ..... <input checked="" type="checkbox"/> None			
Discussion: inmate currently on antidepressant Zoloft sees former life sentence that this is first time he has received MH services. Significant circumstances in that's statement. Tends to minimize & externalize blame. Likely significant character			
Is Substance Abuse an issue? <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes			
MENTAL HEALTH ASSESSMENT: RECEPTION CENTER MENTAL HEALTH EVALUATION  MH 7 [3/22/96]		LEVEL OF CARE  Inpatient  Outpatient	Last Name: Garcia First Name: Daniel MI: Coronado  CDC # V-30569 DOB 2/13/63
Page 2 of 3  Confidential Client/Patient Information See W & I Code, Section 5328			

<b>V. DSM IV Numerical - (Diagnosis, including provisional diagnosis and degree of uncertainty.)</b>		
Axis I.	# 311	<i>depressive disorder, NOS</i> <input type="checkbox"/>
	#	
	#	
Axis II.	# 749.9	<i>decreased appetite</i>
	#	
Axis III.	<i>refer to med records for sleepless</i>	
Axis IV.	(current) <i>succes - life activities</i>	
<b>VI. NEED FOR TREATMENT/LEVEL OF CARE:</b>		
Axis V.	GAF= <u>60</u> Score based on: <i>clinical encounter</i> <input type="checkbox"/>	
Treatment Motivation: <i>fair</i>		
<input type="checkbox"/> DOES NOT MEET CRITERIA FOR INCLUSION IN THE MH TREATMENT POPULATION		<input checked="" type="checkbox"/> MEETS CRITERIA FOR INCLUSION IN THE MH TREATMENT POPULATION (SEE LOC BELOW)
Evaluations:	<input type="checkbox"/> Crisis Eval. <input type="checkbox"/> Medication Eval. <input type="checkbox"/> Psychological Testing <input type="checkbox"/> Other, describe below <i>on 4 points → psychiatric eval</i>	
Recommended CDC Setting: <input type="checkbox"/> GGP <input checked="" type="checkbox"/> CCCMS <input type="checkbox"/> EOP <input type="checkbox"/> MHCB <input type="checkbox"/> DMH DDPS # <u>  </u>		
Rationale: <i>Select treatment setting to address mental health problems</i>		
Initial Treatment Plan (Include medication(s) target symptom & dose prescribed):  <i>psychiatry consult to address &amp; issues &amp; med records how to base message won't need much &amp; psychiatric referrer referrable to client to clarify Evaluation Follow up: (Who and When) <u>1 mo x 2 weeks</u> <i>clarifies</i> Medication Follow up: (Who and When) <i>to be determined</i></i>		
Reception Center Mental Health Evaluation Completed by:  <i>M. Miller, Ph.D. Sup. Psychologist</i>		Date: <u>5/19/04</u>
Clinician Name:	Clinician Title:	
Clinician Signature: <i>M. Miller, Ph.D.</i>	Telephone: (009)835-4141 Ext: 6412	
MENTAL HEALTH ASSESSMENT: RECEPTION CENTER MENTAL HEALTH EVALUATION  MH 7 [3/22/96]	LEVEL OF CARE  <i>CCMCS</i> Inpatient Outpatient	Last Name: <i>Carrasco</i> First Name: <i>Danielle</i> MI: <i>J</i>
Page 3 of 3  Confidential Client/Patient Information See W & I Code, Section 5328	CDC # <u>130548</u> DOB <u>7/13/63</u>	

## Symptom Checklist

22DATE: 05-22-08#: C-13Cell: 231Name: Garcia  
LastDanny  
First

Symptom Checklist - Are you seeking services for any of the following reasons:

*Buzzing in Head*

<input checked="" type="checkbox"/> Headache	<input type="checkbox"/> Stomach trouble	<input type="checkbox"/> Flashbacks	<input type="checkbox"/> Can't make decisions
<input type="checkbox"/> Dizziness	<input type="checkbox"/> Trouble sleeping	<input type="checkbox"/> Isolating yourself	<input type="checkbox"/> Thoughts of suicide
<input type="checkbox"/> Nightmares	<input type="checkbox"/> Ready to explode	<input type="checkbox"/> Lack of motivation	<input type="checkbox"/> Self-inflicted wounds
<input type="checkbox"/> Weight change	<input type="checkbox"/> Panicky feelings	<input type="checkbox"/> Can't get interested	<input type="checkbox"/> Nervous around strangers
<input type="checkbox"/> Bowel trouble	<input type="checkbox"/> Tremors or tics	<input type="checkbox"/> Can't make friends	<input checked="" type="checkbox"/> Fear things you shouldn't
<input type="checkbox"/> Choking feeling	<input type="checkbox"/> Trouble concentrating	<input type="checkbox"/> Can't keep friends	<input checked="" type="checkbox"/> Loss/increase of appetite
<input type="checkbox"/> Blurred vision	<input type="checkbox"/> Strange experiences	<input type="checkbox"/> Sexual problems	<input type="checkbox"/> Conflict within family
<input type="checkbox"/> Drug cravings	<input checked="" type="checkbox"/> Distrustful of others	<input type="checkbox"/> Feel like crying	<input type="checkbox"/> Trouble with memory
<input type="checkbox"/> Muscular aches	<input type="checkbox"/> Fear of losing control	<input type="checkbox"/> Mind racing	<input type="checkbox"/> Thoughts of harming others
<input type="checkbox"/> Feel worthless	<input type="checkbox"/> Problems with anger	<input type="checkbox"/> Intrusive or senseless thoughts or impulses	
<input type="checkbox"/> Feeling tense	<input type="checkbox"/> Always tired	<input type="checkbox"/> Excessive checking, list-making, washing, etc.	
<input type="checkbox"/> Hearing voices	<input checked="" type="checkbox"/> Feeling depressed	<input type="checkbox"/> Bad smells others don't smell	
<input type="checkbox"/> Can't keep jobs	<input type="checkbox"/> Unusual thoughts	<input type="checkbox"/> Psych meds aren't working right	

Entered DVI on 04-14-04, on 05-24-04 I was threat'ed by IGI and then placed in K-wing, Mainline AD-SEG, stayed approx. 1 week before being returned to east hall. Transferred to pleasant valley in the middle of July of 04, A-yard orientation entered AD-SEG & approx. 1 week later because of enemy concerns, I was being moved to D-yard for my safety, seen committee approx. a week later for placement, I should've been put on the yard instead chief dept. warden Malfie called me a liar about what had happened at DVI and had his staff place me in AD-SEG, the building is split in half, 101 to 125 [redacted] [redacted] 201 to 225 is AD-SEG, 126 to 150 and 226 to 250 is orientation, when I was first placed in D-4(AD-SEG) I was in the orientation side which was correct but after committee, Ass. Dep. Warden Malfie discriminated against me and had his staff put me in the AD-SEG side. I had lost 17 lbs. in the first 28 days because of stress of being mistreated. Orientation which is what I should've been doesn't get handcuffed to go to shower or anywhere else and can receive appliances, I was handcuffed and did not receive any personal property, AD-SEG gets yard, small enclosed cement area, I didn't get yard either, so what was I, orientation or AD-SEG and why. An inmate had been observing that inmates were comming into the building and leaving to D-yard and had mentioned to me that I should've gone out to regular yard (D-yard) before them and told me they were messing with me and explained to me about the title 15 and how to fill out a 602, so I did and the very next day C.O. Mendenhall (Personal Property officer) came to me and appologized to me

and stated that my name must have slipped through the cracks and gave me my personal property, the same day Sergeant Scott came to me and apologized to me stating that my name was misplaced and that she will get me out as soon as they send my chrono here that it's in the program office, she said maybe a few more days, I said why don't you just walk over there and get it, she said it doesn't work that way. I was finally put in D-yard 5 building, orientation again, I was given a slip stating no more than 10 day's on orientation that I'll see committee in that time, 16 days I was in orientation, I was told by inmate clerk that my name was switched with a Garcia on C-yard, that's a mainline yard not an SNY yard, I don't see how that could've happened. I was harassed by C.O. Gonzales in 3 building on D-yard, refer to document's pertaining to 602 on this matter. I was transferred to Salinas Valley in October of 06 with a promise of better program and vocation, another lie just to get inmates to transfer so they can get rid of the extra bunks inside of the building day room's which they are shuffling around to other facilities.

chief Dep. Ass. warden Malfie

C.O. Huffman (Tamer)

Sergeant Scott

P. Mendenhall (property officer)

counselor stout

Dr. Mullan (psych)

Dr. Martin (M.D.)

Name \_\_\_\_\_ Number # \_\_\_\_\_  
 I, the undersigned inmate, hereby acknowledge receipt of the following document and item:

K-WING INFORMATION PACKET  
 Containing visiting and law library  
 Information (CDC 193 and law book request)

Inmates Signature	Date	cc: Original to C-File Copy to 114-A File Copy to Inmate
Staff Signature	Date	

Date: \_\_\_\_\_ DEUEL VOCATIONAL INSTITUTION GENERAL CHRONO  
 (CDC 128-B)

Name \_\_\_\_\_ Number # \_\_\_\_\_

1. Subject was placed in Administrative Segregation on \_\_\_\_\_ in the following status:  
 Date

Single Celled       Involuntary Double Celled

Ad/Seg placement ordered by \_\_\_\_\_ (Print Name)

If Double Celled, Double Ceiling authorized by \_\_\_\_\_.

2. Subject was involuntarily Double Celled for a total of \_\_\_\_\_ days (above lockup).

On \_\_\_\_\_ (date) subjects housing status changed to the following:

<input type="checkbox"/> Voluntary Double Celled	<input type="checkbox"/> Released to General Population
<input type="checkbox"/> Single Celled	<input checked="" type="checkbox"/> Transferred _____ (Institution)

3. In response to the subjects Revocation Request to be Double Celled, he was Single Celled on

Date \_\_\_\_\_

SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

I, Inmate \_\_\_\_\_ prefer to be on yard group \_\_\_\_\_ while in Administrative Segregation.

Name and Number \_\_\_\_\_

I understand that this is *pending the review and approval of I.C.C.* and may be changed by I.C.C.

Name	Number	Staff Witness, Signature
------	--------	--------------------------

Name	Number	Staff Witness, Signature		
Controlled Compatible	Reintegrated Mixed	Reintegrated Mixed	Controlled Compatible	
Group I	Group II	Group III	Group IV	WALK ALONE
Whites	Nonaffiliated	Walk Alone Group	Northern Mexicans	Own Request
Others			Blacks	
Southern Mexicans				

STATE OF CALIFORNIA  
ADMINISTRATIVE SEGREGATION UNIT PLACEMENT NOTICE  
CDC 114-D (Rev 10/98)

## DISTRIBUTION:

WHITE - CENTRAL FILE  
BLUE - INMATE (2ND COPY)  
GREEN - ASU

CANARY - WARDEN  
PINK - HEALTH CARE MGR  
GOLDENROD - INMATE (1ST COPY)

INMATE'S NAME

CDC NUMBER

**GARCIA****V-30568****REASON(S) FOR PLACEMENT (PART A)**

PRESENTS AN IMMEDIATE THREAT TO THE SAFETY OF SELF OR OTHERS  
 JEOPARDIZES INTEGRITY OF AN INVESTIGATION OF ALLEGED SERIOUS MISCONDUCT OR CRIMINAL ACTIVITY  
 ENDANGERS INSTITUTION SECURITY       UPON RELEASE FROM SEGREGATION, NO BED AVAILABLE IN GENERAL POPULATION

DESCRIPTION OF CIRCUMSTANCES WHICH SUPPORT THE REASON(S) FOR PLACEMENT

On Monday, May 24, 2004, you informed supervising staff that an enemy situation has developed in East Hall, Special Processing Unit. You claim that an inmate in East Hall is attempting to pressure you out of your medications. You request to be moved from the Special Processing Unit based on this situation. Your continued presence in this program would pose a threat to the safety and security of the institution. Per the aforementioned you are being placed in AD/SEG pending review/evaluation of case factors.

<input type="checkbox"/> CONTINUED ON ATTACHED PAGE (CHECK IF ADDITIONAL)		<input type="checkbox"/> IF CONFIDENTIAL INFORMATION USED, DATE OF DISCLOSURE: / /		
DATE OF ASU PLACEMENT	SEGREGATION AUTHORITY'S PRINTED NAME	SIGNATURE	TITLE	
DATE NOTICE SERVED	TIME SERVED	PRINTED NAME OF STAFF SERVING ASU PLACEMENT NOTICE	SIGNATURE	STAFF'S TITLE
INMATE REFUSED TO SIGN	INMATE SIGNATURE	CDC NUMBER		

**ADMINISTRATIVE REVIEW (PART B)**

*The following to be completed during the initial administrative review by Captain or higher by the first working day following placement*

STAFF ASSISTANT (SA)		INVESTIGATIVE EMPLOYEE (IE)	
STAFF ASSISTANT'S NAME	TITLE	INVESTIGATIVE EMPLOYEE'S NAME	TITLE
<b>IS THIS INMATE:</b> LITERATE? <input type="checkbox"/> YES <input type="checkbox"/> NO    EVIDENCE COLLECTION BY IE <u>UNNECESSARY</u> FLUENT IN ENGLISH? <input type="checkbox"/> YES <input type="checkbox"/> NO    DECLINED ANY INVESTIGATIVE EMPLOYEE ABLE TO COMPREHEND ISSUES? <input type="checkbox"/> YES <input type="checkbox"/> NO    ASU PLACEMENT IS FOR DISCIPLINARY REASONS FREE OF MENTAL HEALTH SERVICES DELIVERY SYSTEM NEEDS? <input type="checkbox"/> YES <input type="checkbox"/> NO    DECLINED 1ST INVESTIGATIVE EMPLOYEE ASSIGNED DECLINING FIRST STAFF ASSISTANT ASSIGNED? <input type="checkbox"/> YES  Any "NO" requires SA assignment      Any "NO" may require IE assignment			
<input type="checkbox"/> NOT ASSIGNED		<input type="checkbox"/> NOT ASSIGNED	

**INMATE WAIVERS**

<input type="checkbox"/> INMATE WAIVES OR DECLINES INTERVIEW WITH ADMINISTRATIVE REVIEWER	<input type="checkbox"/> INMATE WAIVES RIGHT TO 72 HOURS PREPARATION TIME
<input type="checkbox"/> NO WITNESSES REQUESTED BY INMATE	INMATE SIGNATURE
DATE	

**WITNESSES REQUESTED FOR HEARING**

WITNESS' NAME	TITLE/CDC NUMBER	WITNESS' NAME	TITLE/CDC NUMBER
WITNESS' NAME	TITLE/CDC NUMBER	WITNESS' NAME	TITLE/CDC NUMBER

**DECISION:**  RELEASE TO UNIT/FACILITY     RETAIN PENDING ICC REVIEW     DOUBLE CELL     SINGLE CELL PENDING ICC

REASON FOR DECISION:

ADMINISTRATIVE REVIEWER'S PRINTED NAME	TITLE	DATE OF REVIEW	TIME	ADMINISTRATIVE REVIEWER'S SIGNATURE
CORRECTIONAL ADMINISTRATOR'S PRINTED NAME (if necessary)	CORRECTIONAL ADMINISTRATOR'S CO-SIGNATURE (if necessary)			DATE OF REVIEW

DISTRIBUTION: WHITE - CENTRAL FILE BLUE - INMATE (2ND COPY) GREEN - ASU	CANARY - WARDEN PINK - HEALTH CARE MGR GOLDENROD - INMATE (1ST COPY)
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INMATE'S NAME <b>GARCIA</b>	CDC NUMBER <b>V-30568</b>
--------------------------------	------------------------------

#### REASON(S) FOR PLACEMENT (PART A)

PRESENTS AN IMMEDIATE THREAT TO THE SAFETY OF SELF OR OTHERS  
 JEOPARDIZES INTEGRITY OF AN INVESTIGATION OF ALLEGED SERIOUS MISCONDUCT OR CRIMINAL ACTIVITY.  
 ENDANGERS INSTITUTION SECURITY       UPON RELEASE FROM SEGREGATION, NO BED AVAILABLE IN GENERAL POPULATION

DESCRIPTION OF CIRCUMSTANCES WHICH SUPPORT THE REASON(S) FOR PLACEMENT:

You arrived at D.V.I. on Wednesday April 14, 2004, from Butte County, as a N/C. During your initial interview, you requested protective housing due to your commitment offense. Per the aforementioned, your presence in general population would present a threat to the safety and security of this institution. You are housed in Administrative Segregation pending an administrative review of your case factors.

<input type="checkbox"/> CONTINUED ON ATTACHED PAGE (CHECK IF ADDITIONAL)	<input type="checkbox"/> IF CONFIDENTIAL INFORMATION USED, DATE OF DISCLOSURE: / /			
DATE OF ASU PLACEMENT	SEGREGATION AUTHORITY'S PRINTED NAME	SIGNATURE	TITLE	
DATE NOTICE SERVED	TIME SERVED	PRINTED NAME OF STAFF SERVING ASU PLACEMENT NOTICE	SIGNATURE	STAFF'S TITLE
<input type="checkbox"/> INMATE REFUSED TO SIGN	INMATE SIGNATURE	CDC NUMBER		

#### ADMINISTRATIVE REVIEW (PART B)

*The following to be completed during the initial administrative review by Captain or higher by the first working day following placement*

#### STAFF ASSISTANT (SA)

#### INVESTIGATIVE EMPLOYEE (IE)

STAFF ASSISTANT'S NAME	TITLE	INVESTIGATIVE EMPLOYEE'S NAME	TITLE
<b>IS THIS INMATE:</b>			
LITERATE?	<input type="checkbox"/> YES <input type="checkbox"/> NO	EVIDENCE COLLECTION BY IE UNNECESSARY	<input type="checkbox"/> YES <input type="checkbox"/> NO
FLUENT IN ENGLISH?	<input type="checkbox"/> YES <input type="checkbox"/> NO	DECLINED ANY INVESTIGATIVE EMPLOYEE	<input type="checkbox"/> YES <input type="checkbox"/> NO
ABLE TO COMPREHEND ISSUES?	<input type="checkbox"/> YES <input type="checkbox"/> NO	ASU PLACEMENT IS FOR DISCIPLINARY REASONS	<input type="checkbox"/> YES <input type="checkbox"/> NO
FREE OF MENTAL HEALTH SERVICES DELIVERY SYSTEM NEEDS?	<input type="checkbox"/> YES <input type="checkbox"/> NO	DECLINED 1ST INVESTIGATIVE EMPLOYEE ASSIGNED	<input type="checkbox"/> YES <input type="checkbox"/> NO
DECLINING FIRST STAFF ASSISTANT ASSIGNED?	<input type="checkbox"/> YES		
Any "NO" requires SA assignment		Any "NO" may require IE assignment	
<input type="checkbox"/> NOT ASSIGNED		<input type="checkbox"/> NOT ASSIGNED	

#### INMATE WAIVERS

<input type="checkbox"/> INMATE WAIVES OR DECLINES INTERVIEW WITH ADMINISTRATIVE REVIEWER	<input type="checkbox"/> INMATE WAIVES RIGHT TO 72 HOURS PREPARATION TIME	
<input type="checkbox"/> NO WITNESSES REQUESTED BY INMATE	INMATE SIGNATURE	DATE

#### WITNESSES REQUESTED FOR HEARING

WITNESS' NAME	TITLE/CDC NUMBER	WITNESS' NAME	TITLE/CDC NUMBER
WITNESS' NAME	TITLE/CDC NUMBER	WITNESS' NAME	TITLE/CDC NUMBER

**DECISION:**  RELEASE TO UNIT/FACILITY \_\_\_\_\_  RETAIN PENDING ICC REVIEW  DOUBLE CELL  SINGLE CELL PENDING ICC

REASON FOR DECISION:

ADMINISTRATIVE REVIEWER'S PRINTED NAME	TITLE	DATE OF REVIEW	TIME	ADMINISTRATIVE REVIEWER'S SIGNATURE
CORRECTIONAL ADMINISTRATOR'S PRINTED NAME (if necessary)		CORRECTIONAL ADMINISTRATOR'S CO-SIGNATURE (if necessary)		DATE OF REVIEW

## NOTIFICATION OF DIAGNOSTIC TEST RESULTS

NAME <i>Garcia</i>	CDC NUMBER <i>V30568</i>
INSTITUTION <i>PVSP</i>	HOUSING <i>D1-115L</i>
TYPE OF TEST <i>Chest XRay</i>	DATE OF TEST <i>9-22-05</i>

YOUR TEST RESULTS HAVE BEEN EVALUATED BY A PHYSICIAN AND THE  
FOLLOWING HAS BEEN DETERMINED:

Your test results are essentially within normal limits or are unchanged and no physician follow up is required.

You are being scheduled for a follow up medical appointment. You will be receiving a ducat indicating your appointment time.

A repeat test will be ordered. You will be ducated for this test.

A chronic care appointment has been scheduled for you. You will be receiving a ducat indicating your appointment time.

*Prince L.V.*

NAME / TITLE

*CP/Kusdau*

PHYSICIAN SIGNATURE

*10/3/05*

DATE

ORIGINAL - File in UHR

CANARY - Scheduler

PINK - Patient

**DIVISION OF ADULT INSTITUTIONS  
PLEASANT VALLEY STATE PRISON**

P.O. BOX 8500  
COALINGA, CA 93210



July 28, 2005

**CONFIDENTIAL**

Inmate Garcia  
CDC V30568  
Pleasant Valley State Prison  
P.O. Box 8500  
Coalinga, CA 93210

Inmate Garcia:

STAFF COMPLAINT LOG NO: **05-01527**

The Pleasant Valley State Prison Investigative Services Unit (ISU) has completed its investigation of your allegations. The findings of your allegations are as follows:

1. The investigation disclosed sufficient information to support a finding of: **Not Sustained.**

This concludes the Investigative Services Unit's interest in this matter.

J. FISHER, JR.  
Investigative Lieutenant  
Investigative Services Unit  
Pleasant Valley State Prison

C: Investigative Case File  
Appeals

STATE OF CALIFORNIA

DEPARTMENT OF CORRECTIONS

CDC 1858 (2/97)

## RIGHTS AND RESPONSIBILITY STATEMENT

*The California Department of Corrections has added departmental language (shown inside brackets, in non-boldface type) for clarification purposes.*

**YOU HAVE THE RIGHT TO MAKE A COMPLAINT AGAINST A POLICE OFFICER** [this includes a departmental peace officer] **FOR ANY IMPROPER POLICE** [or peace] **OFFICER CONDUCT.** **CALIFORNIA LAW REQUIRES THIS AGENCY TO HAVE A PROCEDURE TO INVESTIGATE CITIZENS'** [or inmates'/parolees'] **COMPLAINTS.** **YOU HAVE A RIGHT TO A WRITTEN DESCRIPTION OF THIS PROCEDURE.** **THIS AGENCY MAY FIND AFTER INVESTIGATION THAT THERE IS NOT ENOUGH EVIDENCE TO WARRANT ACTION ON YOUR COMPLAINT; EVEN IF THAT IS THE CASE, YOU HAVE THE RIGHT TO MAKE THE COMPLAINT AND HAVE IT INVESTIGATED IF YOU BELIEVE AN OFFICER BEHAVED IMPROPERLY.** **CITIZEN** [or inmate/parolee] **COMPLAINTS AND ANY REPORTS OR FINDINGS RELATING TO COMPLAINTS MUST BE RETAINED BY THIS AGENCY FOR AT LEAST FIVE YEARS.**

**IT IS AGAINST THE LAW TO MAKE A COMPLAINT THAT YOU KNOW TO BE FALSE. IF YOU MAKE A COMPLAINT AGAINST AN OFFICER KNOWING IT IS FALSE, YOU CAN BE PROSECUTED ON A MISDEMEANOR CHARGE.** [An inmate/parolee who makes a complaint against a departmental peace officer, knowing it is false, may be issued a serious disciplinary rule violation, in addition to being prosecuted on a misdemeanor charge.]

COMPLAINANT'S PRINTED NAME <i>M. Gonzalez</i>	COMPLAINANT'S SIGNATURE <i>M. Gonzalez</i>	DATE SIGNED <i>8/17/05</i>
INMATE/PAROLEE PRINTED NAME <i>Danny R. Garcia</i>	INMATE/PAROLEE'S SIGNATURE <i>Danny R. Garcia</i>	CDC NUMBER <i>V-30568</i> DATE SIGNED <i>8-17-05</i>
RECEIVING STAFF'S PRINTED NAME <i>K. Scott Sgt</i>	RECEIVING STAFF'S SIGNATURE <i>K. Scott</i>	DATE SIGNED <i>8/17/05</i>

## DISTRIBUTION:

ORIGINAL -

Public - Institution Head/Parole Administrator

Inmate/Parolee - Attach to CDC form 602

Employee - Institution Head/Parole Administrator

COPY - Complainant

## INMATE PROPERTY INVENTORY

CDC 1083 (7/87)

INMATE'S NAME: <i>Garcia</i>	CDC NUMBER: V-30568	INSTITUTION: PosP	QUAD: A1	ROOM NUMBER: 120	DATE: 7-21-04
PROPERTY INVENTORIED BY: S6 P. Arredondo E. Zamora	TITLE: 90	REASON FOR INVENTORY: <i>Ad-Seg Placement</i>			
CAANTEEN ITEMS		CLOTHING		NON-EXPEND ITEMS	
<input checked="" type="checkbox"/> DEODERANT - HAIR: <input type="checkbox"/> GREASE <input type="checkbox"/> SHAMPOO <input type="checkbox"/> PERM KIT LOTION: <input type="checkbox"/> TANNING <input type="checkbox"/> HANO POWDER: <input type="checkbox"/> TALC RAZOR: <input type="checkbox"/> BLADES <input type="checkbox"/> SHAVING CREAM <input type="checkbox"/> AFTER SHAVE <input type="checkbox"/> SHOE POLISH SOAP: <input checked="" type="checkbox"/> BARS - 2 <input type="checkbox"/> SOAP DISH TEETH: <input checked="" type="checkbox"/> PASTE - 2 <input type="checkbox"/> HOLDER	<input type="checkbox"/> NET <input type="checkbox"/> SPRAY <input type="checkbox"/> CONDITIONER <input type="checkbox"/> BABY OIL <input type="checkbox"/> NOXEMA <input type="checkbox"/> FOOT <input checked="" type="checkbox"/> DISPOSABLE 2	<input type="checkbox"/> BANDANAS <input type="checkbox"/> BELT CAPS: <input type="checkbox"/> B/BALL <input type="checkbox"/> JACKETS <input type="checkbox"/> PANTS <input type="checkbox"/> PAJAMAS <input type="checkbox"/> RUG SHIRTS: <input type="checkbox"/> TANK TOP T-SHIRTS: <input type="checkbox"/> WHITE SHOES: <input type="checkbox"/> DRESS SHOES <input type="checkbox"/> BOOTS <input checked="" type="checkbox"/> THONGS / SHORTS: <input type="checkbox"/> UNOER <input type="checkbox"/> SWEATER <input type="checkbox"/> SWEATPANTS <input type="checkbox"/> SWEATSHIRT <input type="checkbox"/> THERMO TOP	<input type="checkbox"/> HEADBANDS <input type="checkbox"/> BUCKLE <input type="checkbox"/> W/CAP <input type="checkbox"/> ROBE <input type="checkbox"/> DRESS SHIRT <input type="checkbox"/> COLORED <input type="checkbox"/> SANDLES <input type="checkbox"/> TENNIS <input type="checkbox"/> ATHLETIC	<input type="checkbox"/> VIS <input type="checkbox"/> A/C ADAPTER Make: _____ SR/N: _____ <input type="checkbox"/> CALCULATOR Make: _____ SR/N: _____ <input type="checkbox"/> CASSETTE/8-TRACK Make: _____ SR/N: _____ <input type="checkbox"/> CLOCK <input checked="" type="checkbox"/> ELECTRIC RAZOR Make: _____ SR/N: _____ <input type="checkbox"/> HEADPHONES Make: _____ SR/N: _____ <input type="checkbox"/> LAMP Make: _____ SR/N: _____ <input type="checkbox"/> MUSICAL INSTRUMENT Type: _____ Model: _____ SR/N: _____ <b>RELIGIOUS MEDAL</b> Medal: <input type="checkbox"/> GOLD COLOR <input type="checkbox"/> SILVER COLOR CHAIN: <input type="checkbox"/> GOLD COLOR <input type="checkbox"/> SILVER COLOR <input type="checkbox"/> RECORD PLAYER Make: _____ SR/N: _____ <b>RADIO</b> <input type="checkbox"/> AM/FM <input type="checkbox"/> CASSETTE Make: _____ SR/N: _____ <b>TELEVISION</b> <input type="checkbox"/> BLACK & WHITE <input type="checkbox"/> TV & RADIO COMBINATION Make: _____ SR/N: _____ <input type="checkbox"/> TELEVISION TESTED <input type="checkbox"/> TV WORKS <input type="checkbox"/> TYPEWRITER Make: _____ SR/N: _____ <input type="checkbox"/> RING <input type="checkbox"/> GOLD <input type="checkbox"/> GOLD <input type="checkbox"/> SILVER <input type="checkbox"/> WATCH <input type="checkbox"/> WRIST <input type="checkbox"/> WRIST <input type="checkbox"/> POCKET Make: _____ Color: <input type="checkbox"/> GOLD <input type="checkbox"/> SILVER	
FOOD ITEMS		GAMES		OTHER ITEMS:	
CANDIES: <input type="checkbox"/> BAGS <input type="checkbox"/> CANNED MEATS CHEESE: <input type="checkbox"/> SPREAD <input type="checkbox"/> CHIPS <input checked="" type="checkbox"/> COFFEE <input type="checkbox"/> COOKIES <input checked="" type="checkbox"/> HOTSAUCE - 1 INSTANT DRINKS <input type="checkbox"/> JAM/JELLY <input type="checkbox"/> PEANUT BUTTER <input type="checkbox"/> POPCORN <input type="checkbox"/> SUGAR CUBES TEA: <input type="checkbox"/> BAGS <input checked="" type="checkbox"/> VITAMINS	<input type="checkbox"/> BARS <input type="checkbox"/> VELVEETA <input type="checkbox"/> CRACKERS - 1 <input type="checkbox"/> COCOA <input type="checkbox"/> PASTRIES <input type="checkbox"/> PEPPERS <input checked="" type="checkbox"/> SOUPS - 5 <input type="checkbox"/> HONEY <input type="checkbox"/> NUTS <input type="checkbox"/> PORK RINDS	<input type="checkbox"/> CHESS <input type="checkbox"/> CHECKERS <input type="checkbox"/> DOMINOES	<input type="checkbox"/> PINOCHLE CARDS <input type="checkbox"/> OTHER	PINS: 4 Nifedipine 30 Nifedipine 23 Nifedipine 29 Hydrochlorothiazide 23 Hydrochlorothiazide	
PERSONAL PROPERTY		TOBACCO ITEMS		MAIL OUTS:	
<input type="checkbox"/> ADDRESS BOOK <input type="checkbox"/> BATTERIES: SIZE: _____ <input type="checkbox"/> BINDERS BOOKS: (see below) <input type="checkbox"/> SOFTBACKS <input type="checkbox"/> HARDBACKS BRUSH: <input type="checkbox"/> HAIR CLIPPERS: <input checked="" type="checkbox"/> NAIL - 1 COMBS: <input type="checkbox"/> AFRO GLASSES: <input type="checkbox"/> SUN <input type="checkbox"/> LEGAL MATERIALS <input type="checkbox"/> PERSONAL PAPERS - MIRROR: CONDITION <input checked="" type="checkbox"/> PENS 2 PHOTOS: <input type="checkbox"/> ALBUM <input checked="" type="checkbox"/> ENVELOPES - 50 <input type="checkbox"/> SEWING KIT <input type="checkbox"/> STATIONERY <input type="checkbox"/> TUMBLER <input checked="" type="checkbox"/> BOWL - 2 <input type="checkbox"/> WALLET TAPES/RECORDS - Total of 12 or less <input type="checkbox"/> CASSETTE TAPES <input type="checkbox"/> EIGHT TRACK TAPES <input type="checkbox"/> RECORDS - 45's <input type="checkbox"/> RECORDS - LP's	<input type="checkbox"/> MAGAZINES <input type="checkbox"/> SHDE <input type="checkbox"/> TOE <input checked="" type="checkbox"/> REGULAR - 1 <input type="checkbox"/> RX <input checked="" type="checkbox"/> LETTERS	<input type="checkbox"/> CIGARETTES: <input type="checkbox"/> CARTONS <input type="checkbox"/> CIGARETTE CASE <input type="checkbox"/> CIGARS: <input type="checkbox"/> BOX <input type="checkbox"/> PIPES SNUFF: <input type="checkbox"/> POUCH TOBACCO: <input type="checkbox"/> POUCH	<input type="checkbox"/> PACKS <input type="checkbox"/> LIGHTER <input type="checkbox"/> PACK <input type="checkbox"/> ROLLER <input type="checkbox"/> TINS <input type="checkbox"/> CAN	<input type="checkbox"/> EACH	<input type="checkbox"/> COLOR
		CONFISCATED ITEMS:			
				BELOW TO BE SIGNED UPON RETURN OF PROPERTY TO INMATE:	
The above listed items constitute all my personal property. INMATE'S SIGNATURE: <i>Danny R. Garcia</i>				I have received all the above listed personal property or have noted any discrepancies below: INMATE'S SIGNATURE: _____ DATE: _____	
RECEIVED IN R&R BY:	INST.	DATE:	INSTITUTION	QUAD	ROOM NUMBER

DIST: Original to R&R  
 Copy to Inventory Officer  
 Copy to Inmate

FROM: AFB1-120U TO: DFB4-203L *Q30L*

INMATE'S NAME

GARCIA

DISTRIBUTION:  
 WHITE - CENTRAL FILE  
 BLUE - INMATE (2ND COPY)  
 GREEN - ASU

CANARY - WARDEN  
 PINK - HEALTH CARE MGR  
 GOLDENROD - INMATE (1ST COPY)

CDC NUMBER

V-30568

REASON(S) FOR PLACEMENT (PART A)

PRESENTS AN IMMEDIATE THREAT TO THE SAFETY OF SELF OR OTHERS.  
 JEOPARDIZES INTEGRITY OF AN INVESTIGATION OF ALLEGED SERIOUS MISCONDUCT OR CRIMINAL ACTIVITY  
 ENDANGERS INSTITUTION SECURITY       UPON RELEASE FROM SEGREGATION, NO BED AVAILABLE IN GENERAL POPULATION

DESCRIPTION OF CIRCUMSTANCES WHICH SUPPORT THE REASON(S) FOR PLACEMENT:

On Wednesday, July 21, 2004, at approximately 2000 hours, you, Inmate GARCIA, V-30568, AFB1-120U, were interviewed and stated that you had Enemy Concerns on A-Yard. You stated that you and your Enemy, listed on your C-File, could not Program together on the same Facility, and that signing a Compatibility Chrono was not a possibility. As a result, you are deemed a threat to the safety and security of the Institution, and are being placed in Administrative Segregation pending Administrative Review to determine appropriate housing and program needs. As a result of this placement, your credit earning status, custody level, privilege group, and visiting status are subject to change.

<input type="checkbox"/> CONTINUED ON ATTACHED PAGE (CHECK IF ADDITIONAL)		<input type="checkbox"/> IF CONFIDENTIAL INFORMATION USED, DATE OF DISCLOSURE:	/ /
DATE OF ASU PLACEMENT	SEGREGATION AUTHORITY'S PRINTED NAME	SIGNATURE	TITLE
07/21/04	T. Harris	<i>[Signature]</i>	Sub Warden
DATE NOTICE SERVED	TIME SERVED	PRINTED NAME OF STAFF SERVING ASU PLACEMENT NOTICE	SIGNATURE
07/21/04	1930	S. Govea	<i>[Signature]</i>
<input type="checkbox"/> INMATE REFUSED TO SIGN		INMATE SIGNATURE	CDC NUMBER
		<i>[Signature]</i>	X V30568

ADMINISTRATIVE REVIEW (PART B)

The following to be completed during the initial administrative review by Captain or higher by the first working day following placement

STAFF ASSISTANT (SA)	INVESTIGATIVE EMPLOYEE (IE)				
STAFF ASSISTANT NAME	TITLE	INVESTIGATIVE EMPLOYEE'S NAME	TITLE		
Wallace	CC1	N/A	N/A		
IS THIS INMATE:					
LITERATE?	<input type="checkbox"/> YES	<input type="checkbox"/> NO	EVIDENCE COLLECTION BY IE UNNECESSARY	<input type="checkbox"/> YES	<input type="checkbox"/> NO
FLUENT IN ENGLISH?	<input type="checkbox"/> YES	<input type="checkbox"/> NO	DECLINED ANY INVESTIGATIVE EMPLOYEE	<input type="checkbox"/> YES	<input type="checkbox"/> NO
ABLE TO COMPREHEND ISSUES?	<input type="checkbox"/> YES	<input type="checkbox"/> NO	ASU PLACEMENT IS FOR DISCIPLINARY REASONS	<input type="checkbox"/> YES	<input type="checkbox"/> NO
FREE OF MENTAL HEALTH SERVICES DELIVERY SYSTEM NEEDS?	<input type="checkbox"/> YES	<input type="checkbox"/> NO	DECLINED 1ST INVESTIGATIVE EMPLOYEE ASSIGNED	<input type="checkbox"/> YES	<input type="checkbox"/> NO
DECLINING FIRST STAFF ASSISTANT ASSIGNED?	<input type="checkbox"/> YES	<input type="checkbox"/> NO			
Any "NO" requires SA assignment			Any "NO" may require IE assignment		
<input type="checkbox"/> NOT ASSIGNED			<input type="checkbox"/> NOT ASSIGNED		

INMATE WAIVERS

<input type="checkbox"/> INMATE WAIVES OR DECLINES INTERVIEW WITH ADMINISTRATIVE REVIEWER	<input type="checkbox"/> INMATE WAIVES RIGHT TO 72 HOURS PREPARATION TIME
<input checked="" type="checkbox"/> NO WITNESSES REQUESTED BY INMATE	INMATE SIGNATURE <i>[Signature]</i>
	DATE 7/22/04

WITNESSES REQUESTED FOR HEARING

WITNESS' NAME	TITLE/CDC NUMBER	WITNESS' NAME	TITLE/CDC NUMBER
WITNESS' NAME	TITLE/CDC NUMBER	WITNESS' NAME	TITLE/CDC NUMBER

DECISION:  RELEASE TO UNIT/FACILITY       RETAIN PENDING ICC REVIEW       DOUBLE CELL       SINGLE CELL PENDING ICC

REASON FOR DECISION:

*Retain as pending ICC review. Inmate presents an immediate threat to the safety of self or others. Double cell clear asap.*

ADMINISTRATIVE REVIEWER'S PRINTED NAME	TITLE	DATE OF REVIEW	TIME	ADMINISTRATIVE REVIEWER'S SIGNATURE
E. Reels	Fac. Coor	7/22/04	0855	<i>[Signature]</i>
CORRECTIONAL ADMINISTRATOR'S PRINTED NAME (if necessary)				DATE OF REVIEW

~~James' car backwash~~  
~~Beth Hartman's~~

21 22 23 24 25 26 27 28  
wed Thurs Fri Sat Sun Mon Tues wed  
29 30 31  
Thurs Fri Sat

STATE OF CALIFORNIA  
ADMINISTRATIVE SEGREGATION UNIT PLACEMENT NOTICE  
CDC 1144-B (Rev. 10/98)

DISTRIBUTION:  
WHITE - CENTRAL FILE  
BLUE - INMATE (2ND-COPY)  
GREEN - ASU

CANARY - WARDEN  
PINK - HEALTH CARE MGR  
GOLDENROD - INMATE (1ST COPY)

FROM: AFB1-120U TO: BFB4-2634

INMATE'S NAME

CDC NUMBER

GARCIA

V-30568

REASON(S) FOR PLACEMENT (PART A)

PRESENTS AN IMMEDIATE THREAT TO THE SAFETY OF SELF OR OTHERS  
 JEOPARDIZES INTEGRITY OF AN INVESTIGATION OF ALLEGED SERIOUS MISCONDUCT OR CRIMINAL ACTIVITY  
 ENDANGERS INSTITUTION SECURITY       UPON RELEASE FROM SEGREGATION, NO BED AVAILABLE IN GENERAL POPULATION

DESCRIPTION OF CIRCUMSTANCES WHICH SUPPORT THE REASON(S) FOR PLACEMENT:

On Wednesday, July 21, 2004, at approximately 2000 hours, you, Inmate GARCIA, V-30568, AFB1-120U, were interviewed and stated that you had Enemy Concerns on A-Yard. You stated that you and your Enemy, listed on your C-File, could not Program together on the same Facility, and that signing a Compatibility Chrono was not a possibility. As a result, you are deemed a threat to the safety and security of the Institution, and are being placed in Administrative Segregation pending Administrative Review to determine appropriate housing and program needs. As a result of this placement, your credit earning status, custody level, privilege group, and visiting status are subject to change.

CONTINUED ON ATTACHED PAGE (CHECK IF ADDITIONAL)     IF CONFIDENTIAL INFORMATION USED, DATE OF DISCLOSURE: 1 1

DATE OF ASU PLACEMENT	SEGREGATION AUTHORITY'S PRINTED NAME	SIGNATURE	TITLE
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07/21/04	T. Harris	S. Garcia	L. Martinez
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DATE NOTICE SERVED	TIME SERVED	PRINTED NAME OF STAFF SERVING ASU PLACEMENT NOTICE	SIGNATURE
--------------------	-------------	--	-----------

07/21/04	1930	S. Garcia	L. Martinez
----------	------	-----------	-------------

<input type="checkbox"/> INMATE REFUSED TO SIGN	INMATE SIGNATURE	CDC NUMBER
---	------------------	------------

ADMINISTRATIVE REVIEW (PART B)

*The following to be completed during the initial administrative review by Captain or higher by the first working day following placement*

STAFF ASSISTANT (SA)

INVESTIGATIVE EMPLOYEE (IE)

STAFF ASSISTANT NAME	TITLE	INVESTIGATIVE EMPLOYEE'S NAME	TITLE
----------------------	-------	-------------------------------	-------

IS THIS INMATE:

LITERATE?	<input type="checkbox"/> YES	<input type="checkbox"/> NO	EVIDENCE COLLECTION BY IE UNNECESSARY	<input type="checkbox"/> YES	<input type="checkbox"/> NO
FLUENT IN ENGLISH?	<input type="checkbox"/> YES	<input type="checkbox"/> NO	DECLINED ANY INVESTIGATIVE EMPLOYEE	<input type="checkbox"/> YES	<input type="checkbox"/> NO
ABLE TO COMPREHEND ISSUES?	<input type="checkbox"/> YES	<input type="checkbox"/> NO	ASU PLACEMENT IS FOR DISCIPLINARY REASONS	<input type="checkbox"/> YES	<input type="checkbox"/> NO
FREE OF MENTAL HEALTH SERVICES DELIVERY SYSTEM NEEDS?	<input type="checkbox"/> YES	<input type="checkbox"/> NO	DECLINED 1ST INVESTIGATIVE EMPLOYEE ASSIGNED	<input type="checkbox"/> YES	<input type="checkbox"/> NO
DECLINING FIRST STAFF ASSISTANT ASSIGNED?	<input type="checkbox"/> YES				

Any "NO" requires SA assignment

Any "NO" may require IE assignment

NOT ASSIGNED

NOT ASSIGNED

INMATE WAIVERS

<input type="checkbox"/> INMATE WAIVES OR DECLINES INTERVIEW WITH ADMINISTRATIVE REVIEWER	<input type="checkbox"/> INMATE WAIVES RIGHT TO 72 HOURS PREPARATION TIME
---	---

<input type="checkbox"/> NO WITNESSES REQUESTED BY INMATE	INMATE SIGNATURE	DATE
---	------------------	------

**INMATE APPEAL ASSIGNMENT NOTICE**

To: INMATE GARCIA, V30568  
Current Housing: DFB4T2000000215U

Date: September 16, 2004

From: INMATE APPEALS OFFICE

Re: APPEAL LOG NUMBER: PVSP-S-04-02513

ASSIGNED STAFF REVIEWER: A&B

DUE DATE: 10/01/2004

APPEAL ISSUE: SEGREGATION HEARINGS

Inmate GARCIA, this acts as a notice to you that your appeal has been sent to the above staff for FIRST level response. If you have any questions, contact the above staff member. If dissatisfied, you have 15 days from the receipt of the response to forward your appeal for SECOND level review.

M. C. DAVIS/D. SYLVESTER

CCII

PVSP

*Response to 602 to get out of AD-SEG and receive property*

*sphy*

*psch*



## INMATE APPEAL ROUTE SLIP

To: CTC

Date: January 28, 2008

From: INMATE APPEALS OFFICE

Re: Appeal Log Number **SVSP-D-08-00403** By Inmate **GARCIA, V30568**

Please assign this appeal to appropriate staff for **FIRST** level response.

Appeal Issue: MEDICAL

Due Date: **03/11/2008**

Special Needs:

STAFF INSTRUCTIONS: Per Director's Rule 3084.5(f) (2) first level appeal review requires a personal interview with the inmate unless the appeal is granted. This policy is not within the institution's jurisdiction and cannot be waived. Director's Rule 3084.5(f) (3) provides that a telephonic interview may be conducted if the inmate is not available in person.

Begin response with GRANTED, DENIED, PARTIALLY GRANTED or WITHDRAWN. When complete, return appeal to the Appeals Office. All first level appeals require signature of the Division Head. Appeals that are incomplete will be returned for appropriate completion.

Refer to D.O.M. 54100 for instructions.

T. VARIZ, CC-II / E. MEDINA CC-II  
Appeals Coordinators  
Salinas Valley State Prison

STATE OF CALIFORNIA

DEPARTMENT OF CORRECTIONAL INSTITUTIONS

INMATE/PAROLEE  
APPEAL FORM  
CDC 603 (12/87)

Location Institution/Parole Region

Log No.

Category

318P d 08-00403

8

2. \_\_\_\_\_

2. \_\_\_\_\_

CTC 1ST

You may appeal any policy, action or decision which has significant adverse affect upon you. With the exception of Serious 115s, classification committee actions, and classification and staff representative decisions, you must first informally seek relief through discussion with the appropriate member, who will sign your form and state what action was taken. If you are not then satisfied, you may send your appeal with all the supporting documents and not more than one additional page of comments to the Appeal Coordinator within 15 days of the action taken. No reprisals will be made for using the appeals procedure responsibly.

Medical Appliance - need

NAME	NUMBER	ASSIGNMENT	UNIT/ROOM NUMBER
Danny Garcia	V-30568	N/A	D-1 #201

A. Discuss Problem: I need my orthopedic shoe's with its 1 1/2 inch lift insert, plus a new mattress and pillow for my neck and back. I have crono's for all three, I got here at 01-17-08 and today is 01-24-08 and I have not slept a full night, I wake up in pain and cannot go back to sleep, my neck will lock up and this condition will not go away for weeks. Without my shoe's, it puts a curve in my spine which gives me lower back aches and headache's which I have had since I got here, this is an 8th amendment violation, I am not here for disciplinary reasons, even so I should not be denied these items.

If you need more space, attach on additional sheet.

REC'D JAN 25 2008

A. Action requested: Bring me my orthopedic shoe's with 1 1/2 inch lift insert there in this building on a shelf, I seen them, and send me a mattress and pillow imediately

Inmate/Parolee Signature: Danny GarciaDate Submitted: 01-24-08

B. INFORMAL LEVEL (Date Received \_\_\_\_\_)

Staff Response: \_\_\_\_\_

**BYPASS**

Staff Signature: \_\_\_\_\_

Date Returned to Inmate: \_\_\_\_\_

C. FORMAL LEVEL

If you are dissatisfied, explain below, attach supporting documents (Completed CDC 115, Inmate Appeal Report, Classification chrono, CDC 128 etc) and submit to the Institution/Parole Region Appeals Coordinator for processing within 15 days of receipt of response.

**BYPASS**

Signature: \_\_\_\_\_

Date Submitted: \_\_\_\_\_



RECEIVED COMPLETED RESPONSE ON

 Granted     P. Granted     Denied     Other

07/2008

1/28/08

Due Date:

3/11/08

JAN 28 2008

REVIEWER'S ACTION (Complete within 10 Working days)

Interviewed by:

1ST LVL

2ND LVL

Inmate states appeal is taken care - has received bed, a  
sheet and mattress + pillow -  
No further concerns with  
this appeal.

Staff Signature:

TABRANIS

Title:

PW

Date Completed:

Division Head Approved:

Signature:

B. Jantz

Title:

SRA/SIA

RECD MAR 07 2008

Received

Date Received:

F. If dissatisfied, explain reasons for requesting a Second-Level Review, and submit to Institution or Parole Region Appeals Coordinator within 15 of days of receipt of response.

Signature:

Date Submitted:

Second Level

 Granted     P. Granted     Denied     Other

G. REVIEWER'S ACTION (Complete within 10 working days): Date assigned:

Due Date:

 See Attached Letter

Signature:

Date Completed:

Warden/Superintendent Signature:

Date Returned to Inmate:

H. If dissatisfied, add date or reasons for requesting a Director's Level Review, and submit by mail to the third level within 15 days of receipt of response.

Signature:

Date Submitted:

For the Director's Review, submit all documents to: Director of Corrections

P.O. Box 942883

Sacramento, CA 94283-0001

Attn: Chief, Inmate Appeals

DIRECTOR'S ACTION:  Granted     P. Granted     Denied     Other See Attached Letter

Date:

## HEALTH CARE SERVICES REQUEST FORM

**PART I: TO BE COMPLETED BY THE PATIENT***A fee of \$5.00 may be charged to your trust account for each health care visit.***If you believe this is an urgent/emergent health care need, contact the correctional officer on duty.**REQUEST FOR: MEDICAL  MENTAL HEALTH  DENTAL  MEDICATION REFILL 

NAME	CDC NUMBER	HOUSING
Garcia	V-30568	C-13 #142

PATIENT SIGNATURE	DATE
<i>Danny Garcia</i>	07-17-08

REASON YOU ARE REQUESTING HEALTH CARE SERVICES. (Describe Your Health Problem And How Long You Have Had The Problem) *On 02-08-08 at Salinas Valley State Prison I was attacked by 4 inmates, The buzzing in my head and headache's have still not gone away, I do not wish to see Nurse Todd or any other nurse, I want to see a real doctor, it's been to long with this condition, I want these condition's fixed ASAP. Thank you*

NOTE: IF THE PATIENT IS UNABLE TO COMPLETE THE FORM, A HEALTH CARE STAFF MEMBER SHALL COMPLETE THE FORM ON BEHALF OF THE PATIENT AND DATE AND SIGN THE FORM

**PART III: TO BE COMPLETED AFTER PATIENT'S APPOINTMENT**

Visit is not exempt from \$5.00 copayment. (Send pink copy to Inmate Trust Office.)

G

CFMG

SICK  
SLIP

BOOKING NO. 115925  
NUMERO DE ARCHIVO

LOCATION G pod  
LOCALIDAD

DATE 9-06-02  
FECHA

NAME Danny R. Garcia  
NOMBRE

DOB 2-13-63  
FECHA DE NACIMIENTO

COMPLAINT I need my heel lift, my right side  
PROBLEMA  
st of my back goes num every now & then  
and it seems to be getting worse, plus I  
crushed my right foot and most of my weight  
is on it now and it really hurts. I need pain  
medication  
CFMG-SS1

MESSAGE

Message For		<u>Garcia Danny</u>	
from	<u>medunit</u>	date	<u>9/9/02</u>
number		time	: AM
message	<u>You need to provide</u> <u>your own heel lift -</u> <u>med unit will ok it if</u> <u>OK D/Custody</u>		
best call back time		date	
taken by <u>JB</u>			
# SC1153WS			

SORT: K SUPERIOR COURT OF CALIFORNIA, COUNTY OF BUTTE  
 MARSDEN MOTION/HEARING  
 HON. ROBERT A GLUSMAN; JUDGE

PAGE: 1

Reporter: K. BECKWITH

Clerk: A. MACKEY

Bailiff: \_\_\_\_\_

For: 12/17/02 Tuesday Dept: B12

1a 1:31 PM Case: CM017813 [M] PEOPLE

v GARCIA, DANNY RAY

Type: \_\_\_\_\_

Date Filed: 08/30/02 Degree: F

Event: MARSDEN HEARING

Related cases on this calendar: SCR36207 , CM017973 ,

Related cases NOT on this calendar: CM017917 ,

DEFNDT: GARCIA, DANNY RAY

ATTY: SHORT, WILLIAM

DOB: 02/13/63

Custody: Y(JAIL ) Bail:\$ 75000

*Charges-----	Doc	Pri	Dgr	Plea & Date
Ct 1: 288.5(a)	PC	COM	F NG	09/03/02

\* ON CT PROB IN SCR36207 - ATTY: W. SHORT

D.A.  Present  Absent: L. PASSMORE  Deputy

=====CR6=====

 Court advises defendant of the nature of these proceedings. Court has read and considered  Motion filed \_\_\_\_\_ Response filed \_\_\_\_\_ Court clears the courtroom except for the Court's personnel, defendant and defense counsel. Defendant  sworn  heard. Defense counsel  sworn  heard. Exhibits (see exhibit list attached) Matter is submitted. The Motion To Discharge Attorney (Marsden) is  granted  denied for the following reason(s): \_\_\_\_\_ By皮革 Hearing is  set  continued: 8:30 a.m./p.m. Dec, 24, 2002,, 1999 at request of  Court  People  Defendant Defendant is remanded into the custody of the Sheriff  without bail  Subject to \$75,000 bail.  Defendant ordered to be present. Defendant remains at liberty on  bail previously posed  O.R. The clerk's minutes are ordered sealed and the Court Reporter is not to prepare a transcript of these proceedings without order of this Court or some other reviewing court.

Court orders letters received by defendant at this hearing to be sealed

000053



### CITIZEN'S COMPLAINT

You have the right to make a complaint against a peace officer for any improper police conduct. California law requires this agency to have a procedure to investigate citizens' complaints. You have a right to a written description of this procedure. This agency may find that after the investigation is concluded there may not be enough evidence to warrant action on your complaint. Even if that is the case, you have the right to make the complaint and have it investigated if you believe an officer behaved improperly. Citizen complaints and any reports or findings relating to complaints must be retained by this agency for at least five (5) years.

It is against the law to make a complaint that you know to be false. If you make a complaint against an officer knowing that it is false, you can be prosecuted on a misdemeanor charge.

I have read and understood the above statement.

Danny R. Garcia  
Complainant

9-16-02  
Date

000039

**CITIZEN COMPLAINT FORM**  
**(Narrative Continued)**

Officer Ponce brought me in and placed me in an interview room instead of booking me, he went on to ask questions of a nature I knew nothing of. He got angry when I did not agree with his questioning, so he took me down to be booked. When I got there a nurse checked me and stated that I was under the influence. I told them that I wasn't, that I do not indulge. He knew that I did not for when I was arrested his first question was, do I have any glass pipe in my pocket. I said of course not in a firm voice for I was offended that he would insinuate such a thing. He proceeded to have the nurse put me in a drunk tank, her reason was that my pupils were dilating too slow. That's contradictory to his insinuation of a glass pipe. Slow dilation would mean a downer and a glass pipe with officer Ponce's insinuation pertains to meth which is speed up a user. They put me in a cement room with no where to sit or lay. I had no shirt or shoes or socks, just pants. I layed on the cold cement floor for two days and a night before Ponce came back and took me back to the interview room. On the walk back, he asked me how I liked it so far, I stated I didn't, he said then you better cooperate, I got you, there's no way out. Then said something about an uncomfortable visit after mentioning that he has a daughter. So it seem that he is taking this personally. I know what he meant, I've heard stories from Eva and my step brother about beatings that they had received under officers care, so I was afraid for my safety and told him what he wanted me too. In the first interview I told him to have the girl checked, that that would be all the proof I need. He had that delayed. He went to my dad's house & told him to stay out of it, not to help me in a threatening manner. He intimidated my dad & put a block on the phone so he could not communicate with me. Also threatened my stepmother with charges if she did not let him do what he wants. After hearing my tone for the charges I decided that I would rather take a beating from him and expose him.

Danny R. Garcia  
Signature of Reporting Person

9-16-02  
Date

I have other complaints and proof but would rather not say for I know they read even the legal mail and would counter the evidence. Come and see me personally please.

BUTTE COUNTY SHERIFF'S OFFICE  
33 COUNTY CENTER DRIVE  
OROVILLE, CA 95965  
(530)538-7321

### CITIZEN COMPLAINT FORM

1. Name of Reporting Person: <u>Danny Ray Garcia</u>		Age: 39	Race: N/A
Address: <u>1712 1/2 Sween St.</u>	City: <u>Oroville</u>	State: <u>CA</u>	Telephone # <u>NONE</u>
2. Name of Victim of Misconduct: <u>Guadalupe Garcia</u>		Age:	Race: N/A
Address: <u>1360 12th St</u>	City: <u>Oroville</u>	State: <u>CA</u>	Telephone # <u>532-4492</u>
3. Date and Time of Incident: <u>8-27-02</u> <u>8-30-02</u>		Location of Incident: <u>Butte Co Jail</u>	
4. Witnesses (If unknown, give description, car license number, badge number, etc.)			
Name		Address	
5. Name of Employee		Car Number	Badge Number
<u>Robert Pance</u>		?	?
		<u>Hair-Brown / Eyes-Brown</u> <small>height: approx 5-11 weight - 200 lbs</small>	
6. Name of Persons Arrested		Address	
<u>Danny R. Garcia</u>		<u>1712 1/2 Sween St</u>	
		Telephone # <u>NONE</u>	
7. Name of Attorney		Address	
<u>William Short</u>		<u>N/A</u>	
Telephone # <u>(530) 532-0608</u>			
Was any party to the complaint or any witness detained or interviewed by the police? If so, whom? <u>NO</u>			
May the investigator interview the complainant at his/her place of work or at home? _____			
Give a narrative description of the events giving rise to the complaint. Complaint Starts on other sheet Use the attached sheet if additional space is required.			
<p>I am in custody. My dad &amp; stepmother live at 1360 12th St Oroville Co. Yes you may question them about the threats that were made by officer ponce, the threats from officer Ponce to my dad &amp; stepmother, and the immediate block on the phone to restrict my dad from helping me. He told my stepmother that he will press charges on her if she didn't let him do what he wants.</p>			
I certify these statements to be true and accurate to the best of my knowledge and belief. Signature of reporting person: <u>Danny R. Garcia</u>		Date: <u>9-16-02</u>	
Signature of parent or guardian if complainant is under 18 years:		Date:	
Signature of employee receiving complaint:		Date/Time:	

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1.

Hi, my name is Danny Ray Davis, I am writing to you because I need your help. This is a lot of injustice going on and no one seems to be helping me or our court does not allow to speak so it seem's that I am being judged by what our paper, it's the same old scenario about judging a book by its cover, so I am going to give a brief summary of who I am, please be patient. I was married at nineteen and started out with temporary agencies until I attended Career.com college of business for electronics. I had graduated highest in my class. After school I started working for Brink's home security. After one year my one year review stated that I had a perfect year of installations, no rework, no mistakes, no one in all of Brink's home security has ever done this before or after me.

I became senior service technician after that. The standard time before becoming a service technician is three years, I did it in one. I also install and service telephone systems, intercom systems, surround sound systems, cable systems, and even electrical (cars, businesses). During all of this I have been raising four healthy, good looking, intelligent boys. I was married for ten years and then a single parent for over ten years. Jessie has two of the boys and I have two. Till this day I still get up every morning and peel potatoes and make breakfast, lunch (if I'm not working weekends) and also prepare dinner. I make everything homemade, nothing out of a box or canned foods. Italian, Mexican, Asian, and American.

I had taught my ex-wife, ex-girlfriends, and even my boys how to cook. I've taught my ex-wife and my boys how to install stereo systems for automobiles. I am a very good teacher and I am old fashion and very strict and moved to Oroville and sold my house in Sacramento because my boys did not want to reside in Del Norte Heights and attend Grant High School. (a violent High school). Here is where I made the mistake of letting someone like Eva Ray in my life.

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2.

Eva Raye was just an acquaintance. She had been in prison before, is violent from the stories that she tells me, apparently she thought it would impress me, but soon realized that I looked down on things like that, her tattoo's which I don't approve of. Me and my boys will never have tattoos. Shortly after meeting her she was arrested for meth and was returned to prison. Eva and her ex husband never worked. They manufactured and sold meth, along with other family members. She always talked about it and was proud of it, until we started to have more in-depth conversations. I am a leader and people tend to listen to me.

I am morally and rules inclined with means to one that I cannot make any mistakes because to many people look up to me for my intelligence, my education, my skills and my persistence not to get involved in anything unhealthy or illegal. I am very stucked and had a car accident and was unable to work so I went to get help from the welfare dept to be able to pay rent which was not enough but my sis girlfriend was collecting unemployment which made it just enough to survive. Strangly by coincidence Joy's unemployment ran out and in the same month Eva was released from prison. Eva came out and got her kids back from CPS and was collecting welfare and SSI. Eva had always wanted to be with me and promised that she had changed her ways (violence, meth use). I have a four bedroom home with a television and stereo in every room plus a game room which included a pool table, dart board, dining table for card or board games, remember I have four dogs and I had created this world for them to keep them off the streets and out of trouble and it has worked. Eva and her six kids had never had a life like mine and she needed the room for all of her kids. So I agreed to let them in. Eva helped keep up the rent and bills. Eva has been there for approx. 4-5 months before I realized she still has a meth problem.

3.

Eva would make excuses to go places and be gone for hours at a time, sometimes all night till 3-4 am and when she returns she always takes a bath first. Sometimes her prison buddy's would come over and she would make excuses to go to the store and then be gone for hours. I know she has sex with the people she gets her month from. I never told her anything when she came back, I just stopped having sex with her. In the morning I would get up early like usual and feel petrified to make breakfast, my excuse not to have sex with her. I believe that if I have sex with her, I'm having sex with all the people she's been having sex with. Plus I've seen some of the people, and they are, how would I say this, not proper.

One day my stepbrother needed a place to stay so I let him stay until I found out that he was bringing her mother & having sex with her, so I removed him from my house, not saying why, no need to argue or fight, its not my way. On the day before the day in question I went to visit a friend, I returned before eleven, when I returned she was so mad she accused me of sleeping with someone and started an argument. I noticed the boy's bedroom door was broke so I asked about it, she said she got into an argument with Josh her son and he ran into the room and locked the door so she kicked it in. The kids are afraid of her because she hits them. I have never hit my kids, I don't believe in it. I've written down a grounding list for her, to teach her a better way to raise her kids. In the argument with me and her she said she was moving out the next day, I did not disagree, even though I couldn't pay for the rent and would lose my place. I just couldn't take it anymore, it's not worth it.

So the next day came and she started the argument again. I believe she wanted me to tell her to stay but I could not take it anymore so I didn't, then she started to get physical so I decided to leave the house until she moved out but I guess she had other ideas. I was at my friend's

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house when the police came and arrested me. I figured it was for domestic violence but when I was brought in the officer (Robert Ponce) started to ask me questions of another nature. I got upset with him for not listening to my statement and asking questions of nothing. I knew nothing about. He got upset with me and took me to be booked. There a nurse checked me and stated that I was under the influence and suggested that I be put in the drunk tank. I was put in a cement room with no place to sit or lay. I had no shirt or soap or sheets I had to lie on the floor for two days and a night, and the worse part is that I was not under the influence, I don't indulge, I'm an electronics tech, and a father, I have responsibility. I am on call for Bulldog Security and Jack Long's Electric, I have to be ready. After two days and a night on the cold cement floor, Officer Ponce came and escorted me back to the interview room and on the way, he asked me if I had liked being in that room, I stated, of course not, then he stated then you better cooperate or next time I'll give you an uncomfortable visit. I would know that beatings do happen, Eva and my step brother had told me about experiences that they have had. Both had been beaten more than once so I was scared and this time when he asked me questions I told him what he wanted me to tell him. One of his statements was that Eva seen me having sex with her daughter so at first I told him to have her checked. I know that is proof of her lying and my innocence so I figured even though had to agree with these accusations under duress that the truth would come out after the doctors reports came back, but I had no idea that the officer would go to such extremes. He had the doctor visit delayed. He went to my dad's house and threatened my dad, he told him to stay out of it, not to help me. He put a block on my dad's phone so he could not talk to me and had another officer tell my dad to stay away from my house so he can't get my

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property out of my house. Apparently he got to my lawyer too far when I asked about how to get my property out. He stated he does not do civil law and when I told him about the time in the drunk tank, the threats, the threats to my dad, and the block on my dad's phone he stated (The officer Robert Ponce) I don't see where he has done anything wrong. So I told him that another lawyer came too see one and I told him the same thing, he stated that anything I had said under duress was inadmissible, in short said then go hire him I know that they listen on phone conversations and my mom told me my dad could not afford the other lawyer. Mr. Short had received the doctors report and never told me, I had to ask repeatedly if it came in. He finally gave up and said I'll check. Mr. Short had it, and it stated that the girl was perfectly normal. Mr. Short had not presented this to me at the court before, I had to ask repeatedly before he would bring it forth. I asked if the truth is out, what am I doing here. He stated that just because the doctor says that nothing happened doesn't mean that nothing happened.

He also refused to give some documents I gave to him for Paul T. Personett, for Consent Decree? These documents pertain to me being injected with bad T.B. medication. The first shot came out positive, a large bump & bruise. The nurse came back and said they have to inject me again because the first batch was left out and got warm so it was bad. (I have a fear of needles).

I wrote down the incident and the statement the nurse said and asked her to sign it, she said no, I wrote a request for some documentation, the receipt came back saying no but we will tell you verbally, so I wrote down everything on a piece of

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paper in detail and had people in the pod who witnessed everything sign it. I noticed that when Mr. Short was flicking through the paper looking for the doctor report that he still had them. I also contacted Mr. Persons who never received the documents. I am filing a civil complaint, a habeas corpus, and a petition for another lawyer. I am writing this to Judge Gregory, the FBI, the Department of Justice, and the Bar association for help.

I would like the documents returned to me so I can give them to Mr. Persons and a continuance, and O.R. .

I need O.R. because while I've been in here Eva had been arrested for something and was here in jail. She is on parole and maybe out on O.R. I was told by one of my sons that she is going back to prison and is selling all of my property including my car which don't see how she can do that, it's in my name. I was told she had sold some of my things when I was first arrested. I figure it's for her meth habit and now selling my property. It's party before she goes back to prison.

I have over 18 years of nice things I worked for. On the day in question I was assaulted, it's in her statement, and my statement and proof in the pictures. I tried to press charges but the officer & the lawyer both refuse to do it so I'm asking again please. I want the press charges for assault & assault with a weapon with intent to do bodily harm. And I need to be out in case one of my boxes calls me for work. And the FBI told my mom to tell me to write this letter to them. And a young man in C.I.K told me to write to those other places & the Judge for help. I appreciate that and Thank Them.

Your Honor, I do not want any one else to read this. I have other papers in the letter to the FBI, it's a citizen's complaint. I need copies of them and to be put in all four envelopes and one set sent back to me. I could not get into C.I.K on time to copy them, plus I am filing a Habeas Corpus, and I need more time for the authorities to respond. I know they read even the legal mail so I can't take a chance that they can intercept it. I need a different Lawyer, all me and Mr. Short do is argue. I would like you to mail the letters for me please, I am in fear for my safety in here. I really need help.

**PERSONAL HISTORY**Full Legal Name Danny Ray GarciaSocial Security Number 567-11-8793Other names used NoneAge 41Date of Birth 02-13-63Place of Birth (City, ST.) San Luis Obispo, CAMailing Address 35 County Center Drive, Oroville, CA 95965Current Address 35 County Center Drive, Oroville, CA 95965 (Butte County Jail) Telephone NoneHow long at this address? 580 daysWith whom (names) Butte County Jail inmatesRelationship NoneHow long in Butte County Three yearsCalifornia 41 yearsLegal Address Butte CountyVerified by Butte County Sheriff's Office Report #C02-14361,#C02-14678, #C02-14822.Physical description: Ht. 5'6" Wt. 160 Hair Black Eyes Brown Sex Male Race HispanicDistinguishing marks (tattoos, scars) NoneDriver's license number C0572816 Status  valid  suspended  revoked  expiredIf license other than valid, explain Prior DUI convictionHealth (current physical condition)  good  fair  poor. If other than good, explain The defendant reported he suffers from high blood pressure.Are you currently taking prescription medication? Yes. If so, list name of medication and prescribing physician.Procardia; Butte County Jail Medical Unit.Have you ever been examined/treated for mental or emotional problems? No. Have you ever participated in counseling?No. If yes, explain (when, by whom and diagnosis): N/A**FAMILY:**Father's name ( natural  adoptive) Guadalupe Garcia Age 61Father's address 1360 12<sup>th</sup> Street, Oroville, CA 95965 Occupation RetiredMother's maiden name ( natural  adoptive) Teresa Moreno Age 60Mother's address Unknown in Sacramento, CA Occupation State workerNames of step-parents NoneNumber of brothers 3 sisters 1. Have any family members had criminal convictions? No If so, explain (include name, relationship and offense) N/A Additional information None**EDUCATION:**Highest grade completed 12<sup>th</sup> Where Santa Maria High School, Santa Maria, CA When 1981Are you presently attending school? No Where N/ADiploma  high school  GED  college  trade school Career Community College of Business, "Electronic Tech," "Alarm installer 14 years strong."Further educational interests None

**ORGANIZATIONS AND PERSONAL HABITS:**

Religious preference Christian; Fraternal, professional associations None

Spare time activities Customizing cars, "teaching stereo installation, surround sound, and telephone"

Alcohol use: What kind(s) Beer

How much "A couple" cans once per  day  week  month  present  past From 1993 To Present

Drug use: What kind(s) None

How much Denies use per  day  week  present  past From N/A To N/A

Additional information None.

**MARITAL:**

Never married Married/intact Common-law Separated Divorced

Maiden name/spouse Susie Errecalde

Place of marriage Sacramento, CA Date of marriage 06-26-82 Number of children 4 Ages 21, 20, 18, 14

Supported by Susie Errecalde and the defendant (however the defendant initially reported, "I am sole supporter.")

If separated or divorced, when? Not provided Prior marriages 0 Name of previous spouse(s) N/A

Number of children 0 Living with Susie Errecalde (except for the 18-year-old who resides with his girlfriend)

Supported by N/A

**MILITARY HISTORY:**

Yes  No Branch of N/A

Service number N/A

Date inducted N/A

Where N/A

Date discharged N/A

Type of discharge N/A

Final rank N/A

If less than honorable, explain N/A

**EMPLOYMENT:**

Are you presently working?  Yes  No. If yes, for whom? N/A

Address N/A Telephone N/A How long? N/A

Job title/function N/A Earnings \$ N/A per  hour  week  month

If unemployed, for how long? Five to six months (prior to incarceration) Why? Injured in automobile accident

Job skills Alarm installer (residential, business, auto), telephone installer, intercom installer, surround sound installer, electrician

Name of last employer Jack Long Electric/Bulldog Security From 2000 To 2001 ("sporadic")

Longest job held Brink's Home Security From October 1989 To October 1992

Additional information: The defendant reported Jack Long Electric and Bulldog Security were holding his job while he was recovering from his automobile accident.

**FINANCIAL:**

Source of income:  Employment (prior to accident)  Public assistance (while recovering from automobile accident)

Other (specify) \_\_\_\_\_

Monthly income \$3,360.00 (when employed) List assets: Cash \$0 Real property (where)\$0

Personal property (value) \$20,000.00 DEBTS: Total Owed \$Unknown

Types of debt: Mortgage(s) \$0 Credit cards \$0 Loans (auto/personal) \$0

Average monthly living expenses \$2,100.00 to \$2,300.00 Have you ever been sued for debts? No

Have you ever filed bankruptcy? No If so, when N/A

Additional information The defendant reported he owes approximately \$13,000.00 in back child support and \$800.00 in criminal fines to Sacramento County.

**PRESENTENCE CREDITS, PEOPLE vs. Danny Ray Garcia**# CM-017813

The defendant was in custody as follows exclusively because of the conduct for which convicted in this case.

	Local Time	Dates		Total Days
		From	To	
A.	Butte County Jail	08-28-02	03-29-04	580

Other (Specify)

**TOTAL LOCAL TIME:** 580 DAYS

B. §1203.03 PC

C. R. C

Other (Specify)

**TOTAL STATE TIME:** 0 DAYS

**TOTAL ACTUAL TIME:** 580 DAYS

§2933.1 PC Credits:  
87 DAYS

§4019 PC Credits Lost:  
(see attached) 0 DAYS

**NET TOTAL TIME PLUS CREDITS:** 667 DAYS

(Time computed through March 29, 2004)




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Anna Kuhn, Deputy Probation Officer III

Calculated at 15%

Pursuant to §1191.3(b) PC, the Probation Officer estimates that as many as 1,049 days conduct and work-time credits may be earned by the defendant if (s)he is committed to prison for the recommended 21 year determinate term.

STATE OF CALIFORNIA  
COUNTY OF MONTEREY

(C.C.P. SEC. 466 & 2015.5; 28 U.S.C. SEC. 1746)

I, Danny Ray Garcia declare under penalty of perjury that: I am the plaintiff in the above entitled action; I have read the foregoing documents and know the contents thereof and the same is true of my own knowledge, except as to matters stated therein upon information, and belief, and as to those matters, I believe they are true.

Executed this 5th day of December, 20 06, at Salinas Valley State Prison, Soledad, California 93960-1050.

(Signature) Danny R. Garcia  
DECLARANT/PRISONER

PROOF OF SERVICE BY MAIL  
(C.C.P. SEC 1013(a) & 2015.5; 28 U.S.C. SEC. 1746)

I, Danny R. Garcia, am a resident of California State Prison, in the County of Monterey, State of California; I am over the age of eighteen (18) years and am/am not a party of the above entitled action. My state prison address is: P.O. Box 1050, Soledad, California 93960-1050.

On 12 - 05, 20 06, I served the foregoing: Legal Documents and letter to the Innocence Project/San Francisco Innocence Project, Office of Public Defender, 555 7th Street, 2nd floor, # Northern California Innocence Project 874 Lafayette Street, Santa Clara.

(Set forth exact title of document(s) served)

On the party(s) herein by placing a true copy(s) thereof, enclosed in sealed envelope(s), with postage thereof fully paid, in the United States Mail, in a deposit box so provided at Salinas Valley State Prison, Soledad, California 93960-1050.

Detailed letter of case, citizen's complaint as evidence, 18 pages of letter and 9 pages of citizen's complaint and 1 page form from the Innocence Project required by them

(List parties served)

There is delivery service by United States Mail at the place so addressed, and/or there is regular communication by mail between the place of mailing and the place so addressed.

I declare under penalty of perjury that the foregoing is true and correct.

DATED: 012-05, 20 06,

Danny R. Garcia  
DECLARANT/PRISONER

11-05-06

Page 1 To whom it may concern, I, Danny Garcia have been put in prison by Butte Co. whose public defenders have conspired with the DAs to make this possible. I am going to tell you everything that has happened from the first event to the actual trial so that maybe you can find other illegal acts that I might have missed. First you need to know who I am, I had attended Career Corn College of Business for electronics in Sacramento after half a dozen jobs from temporary agencies, graduated highest in my class and started working for Brinks Home Security and had stayed in the alarm business for approx 13 years bonded and licensed with consumers affairs. Married for 11 years. Then a single parent, I have 4 boys, have never been in trouble and I was proud of my clean record, will explain the other situations on my record at the end. I had lived in Sacramento for 16 years as a model citizen and a father. My first and biggest mistake was committing adultery with Verenna Rangel (Gordons) in Sacramento at my house on 32nd St. with her part of. The reason for my divorce, she was 16 at the time and as you can see I admit it just like I did in court, I don't lie as you will find out. The second event was that Marlene (my Dad's girlfriend) had called me to the house to tell me that she was giving Marlene (my 4 year old daughter) a bath and Marlene told her not to put her finger in those so she asked her who had done that and she had told her me, I got upset of course and told Marlene in a lecturing manner that that's not funny or something to make eyes and she said well that's what he said so I told her to take her and get her checked to if someone had and she said no, she said she was going to call the police, I knew that they would have her checked whether Marlene wanted it or not, I went home and told Eva (a girlfriend) and Eva told me she knew why Marlene said that and started to tell me that it was a play to keep her away from my Dad because of what happened during earlier. Apparently my dad had grabbed Eva's breast which started this big commotion, all I know is that I saw Marlene storm off, I was in the back yard cooking, this incident happened in the front (back) and Eva had told me that my dad had grabbed someone but didn't tell me it was her. Marlene didn't confront Eva because Eva's one of those kind of women that even

1-05-06

2 men are afraid of, she has a reputation for beating up men so women are just too afraid to confront her. Eva's kids, never worked a day in her life, whole family's were, her brother (methamphetamine) so that may be reason's why they never worked, no education, in and out of prison, not someone I would normally associate with but she had gotten into a bad car accident which left me in a wheelchair and crutches for awhile, <sup>Eva's ex</sup> Eva and her husband (Ex) were friends of my dad (Tyrone Blaum) which is how I know her, she had just gotten out of prison and was collecting money from the State, for herself her kids, I was in a big four bedroom mobile home with two living rooms, I had a lot of ~~that~~ furniture (Cot table, fish tank's etc.) so I needed something big but after the car accident I couldn't afford it, she said she could help and I had plenty of room and she had promised me that she wouldn't drink or use (meth) which of course she lied, lots of problems like this one, Eva, the kind of woman that got possessive even after told her she's not my lady just a friend, I had even told my son to call the police on her before because she had been drinking even after I had told her not to (she was on parole) and had started to hit me and went into her room (Eva's room) and Kara had to punch her, then she left and the police caught her at Norma's (her sister's), who in turn had put her back in prison so as you can see it wasn't smart to let her back in the house after she had gotten out fast like I said I was in a bad situation, anyway since I kept going to my Dad's house to do work or just visit I would keep bringing Eva with me, I didn't know Marlene didn't want Eva there, nobody had told what had really happened so this was a way for Marlene to keep me away so Eva would stay away, this is what Eva had told me, it turned out that of course the police had Marlene checked and of course nothing and I believe Marlene changed her story <sup>so</sup> Marlene says it was Karlene who after she checked says that she dreamed it that it wasn't real, it doesn't sound to me what a 4 year old would say, it was all dropped of course never to be brought up until shown (brother) real name Jason Engel had, <sup>the</sup> Captain, I should've never let him in my life, he had been exiled from our family for a lot of reasons but the last time ever he was seeing Marlene,

11-05-06

3 meth and whatever else they were doing but got caught, when my Dad had thousands of dollars missing from his account, but I had made another bad decision and was letting him in my house, let me start, I had gone over to Debbie for a visit, she's just a friend she had her boyfriend there, me and Shawn left at approx. 10:00 pm, when I got home Eva was throwing a fit accusing me of having relations with Debbie and said her and the kids were leaving which I didn't realize till later that that's not Eva, she's possessive, she had said once that if she couldn't have me no one could, but at that moment I said nothing, I couldn't take her nor move, I didn't care what happened, if I couldn't work then I'd just put my belongings in storage and go back home to Sacramento, plenty of jobs and no discrimination like in Butte Co., So the next morning the yelling and screaming started again believe me it made them mad when you don't argue back so since I don't deal with that I went to the bedroom to get my stuff and leave, I figured I'd stay away until she left but as I tried to leave she came at me with a butcher knife but I made it to the door and left and went to Debbie where I was arrested I figured for domestic violence but I never touched her, anyway a officer once had taken me to a small room with two chairs and had asked me what had happened and I had told him and then he began to tell me that I had been arrested for statutory rape, that Eva had walked to Carmel's bedroom above and opened it and saw me on top of Carmel having intercourse and that she had stood there for a few minutes watching and once I said that Carmel verified it and said it wasn't the first time so I said that's impossible go have her checked and he said I am and I'm going to have a DNA test done and I said good I want that done too, apparently I sounded convincing enough for him to go back and question them so he took me to the booking area but didn't book me, instead he took me to a nurse who looked at my eyes and said her under the influence, I said no I'm not and they just looked at each other and then pneumonia and said if that's what she says that's what he has to go by so I said then take a blood test, again they looked at each other then he walked away and another C.O. came and walked me to a cell where

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4 there was no where to sit or lay down, I had only my pants, no socks, shoes, or shirt, and they left me there over night freezing laying on the cement floor while they had the airconditioner blowing cold air in, I had asked a CO for a shirt and socks but he just kept walking by, it seemed in the middle of the night when a CO came and gave me a shot then transferred over a couple of cells to one that had a bench and gave me cold cereal and milk which I found out was breakfast, usually given at approx 4:00-4:30 am, later on Ponce came back and escorted me back to the same room, during the walk he asked me how I liked being locked up in there, I said I didn't, he said then you better tell me what I want to hear or I'll put you back so of course I was scared, I didn't want to go back in there and I was also afraid of more abuse (Physical) both Eva and Shannan had told me of beatings they had received from Bath Co. Sheriff so this is the second interview which of course was made under duress so I tried to tell him whatever I could without admitting to something I didn't do so we were having problems with Carmel so I used some of those incidents, I knew that once the doctor's report came back that they would know that Eva was lying and I could go home and I would be able to tell of the treatment and threats and that the second interview was made under duress so I found out later why he had the nurse say I was under the influence, it wasn't just to misreat me into submission it was also to keep me in his custody which I had figured out later after another incident, well a few days later Mr. Short came to see me (Public Defender) and this is what was read to me that Eva heard some strange noises and got up and went to Carmel's door opened it up and found me and Carmel engaged in intercourse and she watched for a few moments before she had kicked me off of her and yes she had chased me with a butter knife, that Carmel had said yes we were having intercourse and that it wasn't the first time, she said the first time we had intercourse that I had made her bleed which was basically what Ponce had told me in the first interview, all I wanted to know was what the doctor's report had said he said that he hadn't received it yet so he came back again to see me and began to read the same statement to me, I interrupted him to ask about the

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5 doctors report and he told me to be quiet and listen and after he was done had said that he doesn't have it because the doctor's appointment was canceled because they were waiting for a woman doctor, and the third time Mr. Sherr came to see me he started to read to me the exact same things I didn't want to hear this again so I interrupted him to ask about the doctor report he got mad and said he didn't have it that I need to shut up and listen because I was in a lot of trouble, he had mentioned before that I shouldn't be talked to officer Ponce but nobody told me not to or I wouldn't of but that was the main reason he was mad but I'm not used to people yelling and or talking to me like that so I told him I don't want to hear this anymore where's the doctor's report and he grabbed his folder (other) and slammed it on the table and started flipping the pages until he came to the doctor's report and then started reading it to me real fast so as to not let me comprehend what he was reading and yes he had lied to me about not having the doctor's report, anyway he was reading and I had caught the part where he had said the hymen was still intact but like I said he was reading real fast so I said hey wait a minute if the hymen is still intact doesn't that mean she's still a virgin? he said yes then I said well then if you know they lied then get me out of here, he said just because the doctor says nothing happened doesn't mean nothing happened so I said if she's still a virgin then they lied get me out of here and he said you don't understand you see this wall, just because its painted doesn't mean its painted (?) till this day I still don't know what he meant by that so my next step was to see if I could get another lawyer my family couldn't afford one so I started going to CLC, its a room where law students from Chico state come help us out with law and this is where I learned of most of the illegal acts Butch Co. were committing, they showed me how to try and get another lawyer (Motion) and during that motion Mr. Sherr's demeanor was totally different, he acted like he was my friend and that he was doing everything he could to help me, he's a good lawyer and he had told them that I had changed lawyers over and over in places so he even told them that I had laughed

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about it but as you can see I had never filed a motion before, he knew that (Mr. Sust) I had told him what had happen in place or and that the students at the CTC office are the ones that introduced me to it, this is what happened and what I told him, I live in Sacramento, I have a girlfriend Jenell who wanted to visit her daughter in Roseville so I dropped her off, it didn't last, she called and was crying, her family was giving her a hard time and she wanted me to go and pick her up so another friend Dora was there and we went to get Jenell and parked a block away in an open area and waited for Jenell but trailing her was her mother and a cousin and they immediately went to the drivers side, where Dora sat (Doras truck) and started punching Dora I tried to grab the cousins hands to stop her but she is one of those big brute types so I got up and reached in back of my seat (passenger) to grab whatever I could out of my tool bag, I carry my tool bag all the time because I'm on 24hr. service call, (Security Alarms) I grabbed a sheet rock cutter and went to the back of the car to go around to the drivers side to see if I could chase them away and the cousin had met me at the back of the car, she was actually coming after me so I just stood there and when she wen the sheet rock cutter in my hand she stopped and backed up so I went by her to the drivers side window and yelled at the mother to get away from the car, she stopped punching Dora long enough to glance at me and saw the sheet rock cutter and backed away, I told Dora to roll up the window and ran to the other side to get in and grabbed Jenell and she said she didn't want to go, I got jumped in and we left while they were throwing rocks at the car, Roseville Detectives came to my house but I had missed them, I went to pay a ticket for my dog and was arrested, then, 14 days in jail for attempted kidnapping and assault with a deadly weapon with intent to do bodily harm, anyway the public defenders were trying to get me to plead guilty to a misdemeanor assault but I didn't assault anyone, I didn't do anything wrong I didn't know why they kept giving me different lawyers till after everything was over which is sad that it took me that long because I

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7 never would be given in but #5 Lawyer said her investigator found Dora and Doras version of what had happened was exactly the same, of course it only happen one way, me and Dora had parted as friends because I came home one day and found her, her step sister and a friend and some guy in the house and I'm not dumb I know what they were doing so I told them all to leave and not to come back, I'm real strict when it comes to my house and my kids, you and other things to which does make it hard to keep friends but oh well, my way or the highway, rules are meant to prevent chaos, even Eva called me a top caller, its not my job to control people like her, I have my job (Mother, head of household, Home etc.) I don't need nor want another one anyway #5 Lawyer was named Lisa? I can't remember her last name but she said don't worry she'll get me off and the next thing I knew I have another lawyer and he tells me to plead guilty to a misdemeanor assault I said no and proceeded to tell him what Lisa had told me and he says he uses his own investigator that he can't use what other lawyers investigators have and that his investigator can't find Dora so I'm looking at 8 years in prison if I don't plead guilty to a misdemeanor assault so we went back into the courtroom and the judge asked me and I looked around for a moment and said yes and started to cry, I have never felt so betrayed in my life and looked around with tears running down my face everyone looked down nobody would look at my face which started a domino effect for my future, like when I told Janell that I was going to tell the police about her antics and she through a fit and started biting yelling go ahead call them, anyway when I tried to stop her she bit me and I hit the top of her head to get her to let go at court the public defender tells me just to plead guilty because I have a prior domestic, I said no I don't its just a misdemeanor assault he said its an assault only I told him that must be a clerical error but there was nothing he could do so I had to plead guilty again and it was self defense, but these people just like place a Con, now I was innocent, Place a Con - 8 years in prison compared to a misdemeanor assault, time served no fines.

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8 just leave, and Sacramento who charged me with another misdemeanor domestic gave me 12 anger management classes there's no such thing it's either 32 or 52, when I went to Chico to sign up she told me so that there's no way to complete the course but signed me up anyway and I had seen that if you miss one class you get violated, 2 guys in the class were violated and by not having money to pay for a class I didn't show up for a class and she called Sacramento and tried to get me violated but nothing, Why? why would Sacramento tell them just to leave me alone, because they knew I was innocent, I apologize for getting carried away but I've been to these committee and they read everything to you and whoever else is in the room at the time and on paper it makes me sound like I'm the worst person ever and I'm not guilty of anything but association, they ask me how come I got so much time because there's others with the same charges that didn't get half of what I got plus how butt can keep others from wanting to help, they take one look at my file and decide not to help, I'm telling you I fought them myself with the help from the students from Chico State and they hate me for making them work harder than they had to, I kept saying things about in court so the judge could hear me while the public defender tried to keep me quiet, I do you can see Mr. Short had this during the motion for a motion and tried to make me look bad without the judge wouldn't grant the motion and he didn't so I tried again and lost on the third time I tried for a writ of habeas corpus and the judge suggested I try for another motion and I reminded him that I had tried twice before and he said try again and he granted the motion and assigned Mr. Forland, now somewhere around this time Mr. Flanagan had quit my case and had quit altogether from what I understand, etc. never said that he was tired of the corruption but I think it was that and the fact that I kept bringing up issues in court and tried so the judge could hear me and whoever else that was in the courtroom in hopes of getting some help, I had written letters to the F.B.I. and the Justice Dept. and no response so I sent formal complaints (Citizen's Complaint) to both agencies plus the judge and the state

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9 bar and no response so I asked my mom to call and ask and she said they never received anything, the state bars sent me the same forms I had sent them before and since the jail wasn't letting my legal mail go through I decided not to try anymore and decided to focus on learning as much as I could about law so that maybe I could get myself out but those people there have been putting away people illegally for awhile, it's like routine to them except for someone like me who gave them a hard time and I'm not done fighting, those people need to be stopped. One day I was called out for a visitor, it was during the week so I thought it might be a lawyer but when I stepped out into the hall of fame, there down the hall stood Ponce, I was scared so I didn't move and the CO had to shove me to get going and I was directed to a small interview room where I noticed the CO stood on the outside of the door and kept the door open and Ponce stood over me with his back to the open door and proceeded to tell me that I have another charge, Verenna, he asked me to tell him about it and I said nothing, he gave me dirty looks just standing there over me, you know the kind of looks could kill, but not threats, his whole attitude was as one who was being restrained and that's when I had realized that I was in the custody of the jail (CO's) and he couldn't hurt me so I told him to put me back in the Pod, this is when I had understood why he had the nurse say I was under the influence to keep me in a drunk tank to keep me in his custody while he went back to question them and they must have told him the truth, first let me tell you what Forland had read to me about Verenna, that I had drove from Sacramento to Oroville in my red Chevy Camaro and picked her up at Nelson Jr. High when she was thirteen and went and parked in the middle of nowhere and did the wild thing and drove her back and I went back to Sacramento now I told Forland (which I should not have) that one if this had happened that it would have to be during the week, I was working for Belden Home Security and I have never missed a day, its on my yearly review no rework and perfect attendance plus my records and I didn't even own the Camaro in those years, it was a 88 chev

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purchased in 92 , it was four years old and had previously been a rental car.  
 AVCO  
 Barnett, I told him to get my file from avco finance co. com &  
 from cal worthington chevrolet on Filmore Rd. and my D.M.V.  
 records, he states that Bimbo's doesn't hold employees records  
 that long and AVCO finance co. had moved to Texas and  
 said Bill get my D.M.V. records after the trial, he said he'll be  
 able to get those charges dropped after, I told him keeping the  
 charge makes me look bad to get rid of it first, I even said it  
 out loud in court & so the judge would hear me and he said  
 maybe Forland has a plan that's why he says he'll do it after  
 so I don't know if the judge was involved in all of this but you can  
 see why I'd have my suspicions, anyway I just could not believe  
 that Verenna would make this up I mean that's not Verenna  
 believe me there nothing negative between us and she's just not  
 that kind of person so Shawn must have told her too but there  
 still something missing so back to C.I.C and the student told me  
 that there's a jurisdiction issue that what had happen in Sacramento  
 can't be brought to Butte Co. which now made sense and it had to  
 be Ponce to convince Shawn into telling Verenna into lying but  
 the story would have to start with Ponce and the knowledge of  
 jurisdiction, Officer Ponce, and my ex-stepbrother Shawn, Verenna's  
 brother, Shawn had moved into my house with Eva the moment  
 I was in jail, Shawn told Ponce about me being with his sister  
 and about the incident with Marlene that was dropped, approx one  
 month after being in jail my Dad came to visit one and told  
 me Eva was three months pregnant with Shawn's baby and  
 she wouldn't let my Dad get my property with everything in  
 that house was mine except for one twin bed, well over \$20,000.00  
 in my belongings that I earned working in the alarm business  
 a lot of years accumulating, all lost to Eva who never worked a  
 day in her life, I don't think she could ever realize what she had  
 in her possession, well over \$700.00 just in the stereo, a \$600.00  
 portable, what she sell my stereo for a \$50 bag of dope that ain't it  
 I heard she was doing, she lied to the police and said my Dad  
 threatend her so the cops told my Dad to stay away and he  
 couldn't get my property, a month later she violated, kids  
 taken away and she's back in prison for dope again, this

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11 Happened a couple of times while I was in jail (Butte Co.) which is why I was in there for 19 months, Forland kept postponing court dates while she was in prison so that she could be present for court, you see I didn't know why he kept postponing court dates for such long periods of time until my Dad would come and tell me Eva was back in prison which is another reason why I know Forland was conspiring with the DA and Ponce, all of this is because of Ponce, he's the one who started this, he talked Dianne and Verenna into making up ~~the~~ their story, I admit being with Verenna, but it was in Sac and Ponce gets more out of Marlene and Karlene, something that didn't exist before, he went to my Dad's house and told him to stay out of it, not to help me which actually scared my Dad, and get this I got mad at Forland in court because he wouldn't read the doctor's report so again I said it out loud and he was pissed so he stood up and acted like he was going to read it but then just said the findings are compatible with the complaint I gasped I stood up and said that's impossible then the judge said court adjourned and I was escorted out but you know the next time I saw Forland I was mad and asked him how is it possible that it can be compatible, her hymen is still intact, she's still a virgin and he said I don't know where your getting these accusations of intercourse there nothing in here that says that, so I had repeated to him what Ponce and Short had told me and he said that I was making it up, I was so furious oh my god if you only knew how I felt, the things going on in my mind, he talked to me as if I was crazy & mean for real crazy with it where I tried another motion trying to think of how to bring the truth out, things were looking bad and I had no help and I'm no lawyer but I had to think and think and I thought of something the first interview with Ponce, he had told me what Eva had said, by now I had figured out that the original report had been altered and now understood why Short and Forland had refused to ever give me copies, so just incase I kept coming up with proof they can alter it, but in the first interview it would all be there, how he told me she witnessed the intercourse and he'll have Carmel tested and how I responded by saying good I want you too and the DNA test and how I

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12 responded with I want that tape and requested to see it and I told his investigator to take the video and have it authenticated first and that's when Forland postponed the court date for months and never brought the tape and yes Eva was back in prison with guilty Forland postponed it for so many months. All of a sudden Jim told that the trial gonna start and I did the same thing again, I spoke up in court about the tape and Forland told judge Ellsworth that he would show me the tape in the jail but that's not what I wanted I wanted the judge to see it, on the way to the interview room to view the tape Forland said I don't know why you want to see it police officer are allowed to lie to get people to say what they want, he's just mad because he had tried so hard to not show me the tape and he had showed me the second interview, the one made under duress and said when the first one and he said this is, so if they want to play that game then officerponce never read me my rights which would only exist on the first tape they pretend doesn't exist. So now we come to the trial, there was one guy that all he did was throw me dirty looks (Guru) and I told Forland not to pick or should I say pick him to be excused and Forland said no, he was now trying harder than ever to make sure I was found guilty but the next day that same jurer stood up and said that he could not be bias that he would find me guilty so the judge excused him and Forland was mad, Forland said that I will not be allowed to ask the witness any questions I found out later that it was my right to but he didn't want me to because he knew I would ask the right questions and when I had told him to subpoena my character witness, Jeneell, Basie, Patrick, Peggie & Clyde who work for the Department of Justice, Richard Frost who's an ex Highway patrolman who had also took me back and forth from Dec to Auburn to those 13 court dates where they gave me 6 different public defenders, and Basie (Ex wife) because she should know everything about the 55 Chevy Barretta and what had happened in Dec, with Terenna but he said nobody wants to come but they made sure they subpoenaed everybody against me, they even brought Basie but used her against me, Forland never asked her about if we had owned the car in 1990, when I bought it it was four years old it had

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13 been a rentacar previously. Forland helped them, Eva opened the door, there was no door, those kids had broken it off, the finger he didn't mention that, and they showed pictures of her vagina and said there was redness where I rubbed my penis on her, so where's the DNA test, guess what, at the end of my sentencing Forland handed me an envelope and when I got back to the jail (I'm in shackles) I opened it and it was the DNA test and of course it was negative and get this, during the trial I looked at a paper in front of him and I started to read it and I said out loud there it is, it's right there and he and he started to shush me to keep it down and he said yea I just noticed that, I'm going to call up officer Collins to ask him and I handed him a piece of paper that I guess had slipped through their fingers to me, it said that my charge was rape (statute) and what I had read in front of Forland was the original police report from an officer Collins which stated that Eva had seen me having intercourse with Carmel so he took both documents and put them in his folder and when he called up officer Collins he never asked about the report or what was Eva's complaint, he had lied to me again, and now they had come up with me putting my penis in Harlene's mouth, that would be impossible which is what I told Forland and how to use it during trial, I'm well in laugh, I'm large down there, Dora couldn't give oral sex because she said her jaw popped and Eva had a hard time trying, these are full grown women, do you really think a four year old could put it in her mouth and during trial he asked Eva if I was large and if you knew Eva you can just imagine how she answered yes, she use to brag to her friends and relatives, it was embarrassing, it always was with her, and you need to understand that alot of what I heard during trial I was hearing for the first time, remember I had never received any of the complaints, like Carmel masturbating me forty times where? when? in a house with 4 other adults and 6 to 7 kids at all times that's a minimum of ten people and here I am again trying to think of how to help myself and then it came to me, if you remember I had mentioned that we were having problems with Carmel well she had caught Carmel in bed with her brother Jory with their hands under the covers and it wasn't the first time and Carmine had

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14 found a adult magazine in the room she shared with Carmel with she  
 had it stolen from the master bathroom with you have <sup>(Carmel)</sup> <sup>to go</sup> through the  
 master bedroom to get to and with nobody is allowed in except me  
 and Eva and there kind of hidden under the sink, and Carmel was  
 grounded at the time for trying to get the 6 year old neighbor kid to or  
 should I say got the little boy to lay on her and how they put it hump  
 her, I had to argue with Eva to ground her, Eva thought it was cute,  
 she said she started having sex when she was eleven and didn't see  
 anything wrong with the things she was doing so I eventually won but  
 when we let her off her grounding she went right back over to the  
 neighbor and pulled her pants down in front of all the boys which included  
 her brother so we grounded her again, what I'm trying to show you is  
 that she wasn't so innocent that she had seen what a penis looks like, as  
 a matter of fact she's seen more than one but she's never seen mine,  
 let me explain, all that she has seen whether it be the neighbor or the  
 magazine or her brother's penis are all basically white which would  
 mean that they would be circumcized, it seems to be a custom but  
 most medicans don't believe in that which would mean she wouldn't  
 know what I look like even though she says she masturbated me forty  
 times so I drew two penises on one piece of paper and in court during  
 trial I stood up and told the judge I have something that could help  
 me somthing important and that I don't trust Forland with it and  
 the judge said that I couldn't present it, that only Forland could  
 so I was just going to have to trust him, so I didn't have a  
 choice and when I was in the back in a cell Forland came in and  
 asked me what I had and I told him that I don't trust him, what  
 good is it going to do me if your helping the DA and he replied, well  
 you don't have a choice so I asked him, look, I know your trying  
 to put me away but if I can prove to you that I'm innocent  
 will you help me, he said, let me see what you got and I showed  
 him and explained to him why I drew these pictures and how he  
 should use them and elaborate on them and he said he would  
 show Carmel the pictures and told me to hold on to them until  
 he was ready and of course he lied again, he asked Carmel questions  
 that made me look bad and never asked me for the pictures so  
 he never showed it to her or the jury and after he was done

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15 asking her questions he walked away then stopped and turned around and said oh, by the way what does <sup>Danny</sup> look like? she said what? he said did he look like a helmet or a turtle neck sweater and she said a helmet but like I said hadn't elaborate on it even after when he was doing closing arguments nothing on the 88 Chevy Beretta, no door on the bedroom, me being to large for the accusation from Marlene (Bmc) or about coronel who obviously didn't know what I look like and so much more its ridiculous, After I was found guilty I said to him ok you said you would go to the DMV after the trial and get the proof and have Venenias charges dropped and he said well the D.A. never brought it up in court so I can't, that's just how it works, I should have figured he was up to something and it made sense why he refused to let me ask the witness questions because I would've asked about that and a dozen other issues.

As you can see its obvious that Forland conspired with D.A. Morbarger for how would she know not to mention the red Chevy Beretta or for that matter they never even mentioned Venenias charges at all they just made up some story of her when she was little and even then Forland didn't try to defend me, how could anything happen when Busineau with me at that time, Forland knew, I had told him, we even had an argument (argument(s)) and he had told me he thinks I'm guilty, what a liar, he knew those reports were altered, Mr. Short had read me what was on them, he never did, all he ever did was tell the court it was compatible with the complaint with my response was that's impossible! At the or before should I say, the sentencing a probation officer came to talk to me and I had told her what was happening and she suggested that I write the judge a letter and tell him so I did, at the sentencing he proceeded to give me my sentence and I interrupted him and asked if he had gotten the letter I had sent him, he said yes, I replied well did you read it he said yes, I replied and your gonna let them get away with this and he got mad and started saying I had no remorse, for what! this whole situation is insane, I'd been betrayed by the system I've always believed in, I've never

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16 I even believe ~~in~~ the three strikes rule, my boys used to call me sergeant Dad, I don't know if the judge was involved but it sure seemed like it, I'm the one that said (out loud in court) there was a statute of limitation on Verenna charges, Toland got mad at me and he brought up an issue where another judge had overturned it and presented it to the judge and the judge overturned it for Toland and let the charge stand, long before the trial when I sent those letters to the FBI, Justice Dept, and State Bar, I had sent the judge a copy, both times first in a letter, then in a citizens complaint and he had ignored them, and there was a Kevin Horton who was going to trial also and his uncle overheard Judge Blumman say to the other judge who told me I was found guilty that he had to leave, that he couldn't take it no more, that son of a bitch deserved what he gets, he's not supposed to call me names and he's supposed to be bias, I think it was just an act for the other judge in case I tried to speak up in court like I had done dozens of times before so the judge could hear me at the same time Toland would be trying to keep me quiet. This is how I think you should go about this, first don't notify Butte co. of an investigation and go get my O.N.V records first and present them to Verenna and ask her why she lied and the same time let her know she can get in trouble for making this up and that you know she met the one who made up the story that you know Shaeen (or brother) had told her to (convince) say this but its once you after that you really don't want her or her brother, Verenna will try to protect her brother but neither of them have legal ~~no~~ knowledge of jurisdiction so you know it would have to come from someone who has that knowledge, once you get her to tell you the truth go to D.A. Flanagan with this info and the original police report from officer collins and the authenticated first video interview with ponce and hopefully immunity from prosecution and see if he'll step up and tell the truth, ask officer collins about his original police report, look, I'm tired and frustrated again, when I write these letters I go through the motions of trying to do this alone, I believe that finding some legal flaw and setting me free is not the way the Lord

11-05-06

17 meant this to be, I believe he chose me because he knew I'd be strong enough and smart enough to expose Butte Co. for all the crimes they are committing which is why I thought of filing a Federal Habeas Corpus so that the investigation won't really be focused on me but on Ponce, Short, Forland, Mossburger, Glusman, Flannagan, and even Co. Kariasis who worked in the mail room who didn't let my mail go through to the F.B.I., Justice Dept. & the State Bar, I had written a to the F.B.I., Justice Dept., & Judge Glusman with no response so I figured they wanted it in a legal form so I filed a Citizen's complaint with I am sending you a copy of which had the address of the F.B.I. and Justice Dept. and internal affairs for Butte Co. which I didn't trust so I never sent them anything.

After months of no response I called my mom in Sacramento who worked for the state at the time and asked her to call these organizations and see why they havn't responded and they told her they have never received any letters from me, so you can see I've been trying to get help for a long time and if these people went to Nevada and got her to lie and had Eva change her story of saying we have intercourse with her daughter Eva - far will they go now to stop this investigation, they outwitted Mrs. Goodwin, I'm sure they'll prepare for this and Forland is considered one of the best so good luck. My wife asked me why they had it in for me? I replied with the only info I had, Butte Co. was Bankrupt because of a lawsuit by Dean Cameron and the only other thing was that the lawyers were upset that I had talked to the arresting officer but I had nothing to hide. Why would Forland ~~not~~ withhold the DNA results? officer ponce had told Eva to keep my property, that I was never getting out, this at the time of arrest. I want this Co. investigated, I know to them and to maybe others that it might be easier to keep one in here compared to a lot of charges being filed against a lot of people but please don't let them do that, right has wrongs and prevent them from doing this to anyone else. Be careful and Please help me the best way you know how. Sincerely Danny R. Garcia.

P.S. Please excuse the spelling

105-06

18 I have enclosed a rough draft of the Habeas Corpus  
 as you can see I need help and I didn't want to file it  
 because I believe then Butte Co would have to be notified  
 and I believe they would go to officer Collins and convince  
 him to maybe change his report by <sup>convincing</sup> convincing him I was really  
 guilty or and Venessa and maybe even Flannagan if they  
 havent already, I say this only because I sent Mr. Goodwin  
 a 26 page letter with all of this info in it, even about going  
 to Venessa ~~and~~ and Mr. Goodwin states he never received it,  
 it was sent from Pleasant Valley State prison and god knows  
 where it is and where it ended up at, I hope to god they didn't  
 intercept it and send it to Butte Co, but even if they did things  
 like not getting rid of a large by ~~or~~ simply going to the  
 D.A.'s and presenting to the courts that Venessa had lied and  
 Toland withholding the DNA test and other evidence like the  
 original (First interview with Ponce) video at the first interview with  
 Officer Ponce, they can't change those things, but as you can see  
 this case is mostly based on investigating them in order to set  
 me free so again good luck and never give up until I'm free.

You may want to ask my Dad and Marlene if Eva went  
 to the house and told them that Officer Ponce had told her (right  
 around my arrest) that she might not well keep my property  
 because I'm never getting out which I believe is where all this started.

Let me apologize for repeting myself, there's more but I'm  
 frustrated again, its becoming unsafe for me in here, this is a bad  
 prison (Crawford) and they have leaked out my charges to some inmates  
 and I'm being harassed, so pray for my safety until help comes to get  
 me out, I'm going to see about being transferred but as I said this  
 is a bad prison so I don't know if that will happen, please come and  
 help end this nightmare for me, try to get the highest organization  
 to get involved to investigate Butte Co (my case) without them knowing.

Good Luck, God Bless, Danny)

I'm sending this to San Francisco Innocence Project for DNA and sending  
 a copy to Northern California Innocence Project for the rest

James Garcia V# 30558  
MCSP C# 13 142 P.O. Box 49960  
Ione CA 95640

"Legal - Mail"



RICK W  
RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

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8/18/08